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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	No. 08 CR 888
Government,	)	
	)	Chicago, Illinois
vs.	)	
	)	April 25, 2011
ROD BLAGOJEVICH,	)	
	)	10:27 o'clock a.m.
Defendant.	)	

VOLUME 2  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE JAMES B. ZAGEL  
AND A JURY

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1 (The following proceedings were had out of the  
2 presence of the prospective jurors in open  
3 court:)

4 VOIR DIRE

5  
6 THE CLERK: 2008 CR 888, United States versus  
7 Blagojevich, continued voir dire.

8 THE COURT: We left off with 127?

9 MR. SCHAR: Yes, Judge.

:41AM

10 THE COURT: I also have a note there is  
11 something we have to pursue with respect to 122. Is  
12 there anything left other than that?

13 MR. SCHAR: I don't believe so, Judge.

14 Or I think there was a plane ticket issue  
15 with --

:41AM

16 MR. SOROSKY: It was --

17 I'll tell you the number, 117, I believe.

18 MR. SCHAR: That was not it.

19 MR. SOROSKY: Oh, no, no, no. I apologize.

:41AM

20 The plane ticket issue was 107.

21 MR. SCHAR: Yes, that sounds right, Judge.

22 MR. SOROSKY: I think the three in question  
23 were a plane ticket issue on 107, there was some  
24 employment issue on 117, and there also was an  
25 employment issue on 127, the one you referred to.

:42AM

1 So they're all 7's.

2 THE COURT: I don't think there was a mystery  
3 on 117. That was the guy who wrote --

4 MR. SOROSKY: No, no. 117 is a woman.

5 THE COURT: Yeah, that's right. The funny  
6 thing is I made no notations on that, because I  
7 could always go back to the number.

8 In her case, there was a lot of discussion  
9 about jobs. And then the answer was, actually  
10 between the time she wrote the request for deferral  
11 and the time she came here, she had a job offer,  
12 which is two weeks.

13 MR. SOROSKY: Right.

14 THE COURT: which I recall, at the time I was  
15 informed of the length of unemployment, to excuse  
16 her. But if we have to deal with it some more, then  
17 we will.

18 MR. SOROSKY: Then --

19 THE COURT: Anything else from anybody?

20 MR. SOROSKY: There was also some question  
21 about 115. It was some -- there was a question you  
22 wanted to look into.

23 MR. SCHAR: That's right, Judge, that's what  
24 I was thinking of when you 127, I was thinking of  
25 115. 122 has actually been struck.

1 THE COURT: What?

2 MR. SCHAR: 122 was struck by agreement of  
3 the parties, I believe.

4 THE COURT: Oh, okay.

: 4 4AM

5 Oh, yes it was.

6 MR. SCHAR: I was confused. 115, I think  
7 there was a follow-up regarding an issue.

8 THE COURT: Right. Yeah, that's right.

: 4 5AM

9 We're going to begin in numerical order. We  
10 have a couple of replacements, a couple of  
11 alterations. One is number 188, who was originally  
12 going to come back later than today, but to  
13 compensate for some who hadn't shown up for  
14 Thursday, we added that person to the list. So that  
15 person will be dealt with out of numerical order.

: 4 5AM

16 And then we have a request with respect to  
17 one prospective juror, 136, I believe, who has an  
18 issue today about a medical appointment. So we're  
19 going to deal with 136 first. And I think that's  
20 it.

: 4 5AM

21 You can probably sit down now.

22 MR. SCHAR: Thank you, Judge.

23 MR. SOROSKY: Thank you.

24 (Brief pause).

: 5 0AM

25 MR. SOROSKY: Judge, I misspoke when I said

1 the petition was on juror 127. 127 has been  
2 excused. There was an employment issue on June 126.  
3 You said you wanted to look into that. I misspoke,  
4 judge. I made a mistake.

5 THE COURT: I got that, but we're going to  
6 pull the juror out in a second, so we'll deal with  
7 that later.

8 (Brief pause).

9 (Prospective juror entered the courtroom, and  
10 the following proceedings were had herein:)

11 THE COURT: Hi. Take a seat.

12 For a little while you are going to be known  
13 as 136.

14 PROSPECTIVE JUROR: Okay.

15 THE COURT: I'm going to ask you some  
16 questions. I'm not going to go down this whole  
17 questionnaire you filled out, I'm just going to ask  
18 you about a few of them.

19 PROSPECTIVE JUROR: Okay.

20 THE COURT: You work for a caterer, is that  
21 full-time?

22 PROSPECTIVE JUROR: No, sir.

23 THE COURT: Is that when they need you?

24 PROSPECTIVE JUROR: Yes, when they need me,  
25 yes.

1 THE COURT: Before that you were in the Navy?

2 PROSPECTIVE JUROR: Yes, sir.

3 THE COURT: What did you do in the Navy?

4 PROSPECTIVE JUROR: I was -- technically,  
5 it's an aerographer mate, but it's a weather person.

6 THE COURT: Always stationed at the same  
7 place or did they move you around?

8 PROSPECTIVE JUROR: I was moved around, yes,  
9 sir.

10 THE COURT: Did you like the work?

11 PROSPECTIVE JUROR: I did.

12 THE COURT: You're interested in going into  
13 law enforcement?

14 PROSPECTIVE JUROR: No, sir. I am actually  
15 interested in going into nursing.

16 THE COURT: Okay. And your rank on discharge  
17 in the Navy?

18 PROSPECTIVE JUROR: I was an E 5.

19 THE COURT: E 5?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Tell me what happened to your  
22 cousin.

23 PROSPECTIVE JUROR: The one --

24 THE COURT: The one you mentioned in the  
25 questionnaire.



1 PROSPECTIVE JUROR: He went to prison for  
2 burglary in Arkansas, I believe it was.

3 THE COURT: Did you know much about the case.

4 PROSPECTIVE JUROR: No, sir, I didn't.

5 THE COURT: Are you particularly close to  
6 this cousin?

7 PROSPECTIVE JUROR: Not really, no, sir.

8 THE COURT: Anything about his experience  
9 that would affect your ability to be fair here?

10 PROSPECTIVE JUROR: No, sir.

11 THE COURT: You're a member of a church?

12 PROSPECTIVE JUROR: Yes, sir.

13 THE COURT: Are you a member of anything  
14 else?

15 PROSPECTIVE JUROR: No, sir.

16 THE COURT: Have you ever been?

17 PROSPECTIVE JUROR: Yes, sir.

18 THE COURT: What kinds of things were you a  
19 member of?

20 PROSPECTIVE JUROR: Well, I was a member of a  
21 volleyball team.

22 THE COURT: Okay. That counts. Anything.  
23 Garden clubs?

24 PROSPECTIVE JUROR: No, sir. And a softball  
25 team; sports.

1 THE COURT: Okay. Still play softball?

2 PROSPECTIVE JUROR: Yes, sir, I do, and  
3 volleyball.

4 THE COURT: And volleyball?

5 PROSPECTIVE JUROR: Yes, sir.

6 THE COURT: You read the Tribune once in a  
7 while?

8 PROSPECTIVE JUROR: Yes, sir; for the sales.

9 THE COURT: For the sales?

10 PROSPECTIVE JUROR: The sales paper mostly,  
11 yes, sir.

12 THE COURT: Okay. And you use a search  
13 engine, you use Google to find out stuff?

14 PROSPECTIVE JUROR: Every now and then, yes.

15 THE COURT: But it's not a frequent  
16 occurrence?

17 PROSPECTIVE JUROR: No, sir.

18 THE COURT: You had a child who was a patient  
19 at Children's Memorial Hospital?

20 PROSPECTIVE JUROR: Yes, sir.

21 THE COURT: How long?

22 PROSPECTIVE JUROR: 2 years ago.

23 THE COURT: How long was he there in the  
24 hospital?

25 PROSPECTIVE JUROR: He was not an inpatient.

1 THE COURT: He went to see a doctor at  
2 Children's Memorial?

3 PROSPECTIVE JUROR: Yes, sir.

4 THE COURT: Is that his regular doctor?

5 PROSPECTIVE JUROR: No, sir.

6 THE COURT: I take it that you didn't pay  
7 much attention at all to this case?

8 PROSPECTIVE JUROR: No, sir, I didn't.

9 THE COURT: And where are you planning to go  
10 to school or when are you planning to go to school?

11 PROSPECTIVE JUROR: I would like to go this  
12 summer.

13 THE COURT: And what kind of program is it?  
14 What are you studying?

15 PROSPECTIVE JUROR: Nursing.

16 THE COURT: Nursing. And how long is that  
17 course?

18 PROSPECTIVE JUROR: The course is a one on  
19 one. The one I take this summer is about -- I think  
20 it's about 4 weeks.

21 THE COURT: Okay. You said that somebody, or  
22 anyone close to you owned a business, a small deli  
23 and catering company. Is that still in business?

24 PROSPECTIVE JUROR: Yes, sir, it is.

25 THE COURT: Was it a friend or a relative?

1 PROSPECTIVE JUROR: My mother.

2 THE COURT: So she is still operating it?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And you got a degree?

:58AM

5 PROSPECTIVE JUROR: Yes, sir.

6 THE COURT: And how long ago was that?

7 PROSPECTIVE JUROR: 2004.

8 THE COURT: And you got a nursing assistant  
9 certificate as well?

:58AM

10 PROSPECTIVE JUROR: Yes, sir.

11 THE COURT: Around the same time or later?

12 PROSPECTIVE JUROR: The nursing certificate  
13 was, I believe, 2006.

14 THE COURT: You like to go to school?

:58AM

15 PROSPECTIVE JUROR: Yes, sir, I do.

16 THE COURT: Thank you.

17 PROSPECTIVE JUROR: You're welcome.

18 (Prospective juror exited the courtroom, and the  
19 following proceedings were had herein:)

20 (Brief pause).

21 (Prospective juror entered the courtroom, and  
22 the following proceedings were had herein:)

23 THE COURT: You're number 128?

24 PROSPECTIVE JUROR: Yes, sir.

:59AM

25 THE COURT: Okay. I'm going to ask you some

1 questions. I'm not going to go down the whole list.

2 You're a painter?

3 PROSPECTIVE JUROR: Yes, sir.

4 THE COURT: How long have you been a painter?

5 PROSPECTIVE JUROR: 20 years.

6 THE COURT: Ever worked with somebody or have  
7 you always been self-employed?

8 PROSPECTIVE JUROR: I worked with other  
9 companies also.

10 THE COURT: How long have you been  
11 self-employed?

12 PROSPECTIVE JUROR: About 15 years.

13 THE COURT: Okay. Any particular painting  
14 specialty you have?

15 PROSPECTIVE JUROR: No, sir.

16 THE COURT: How many hours do you work,  
17 customarily?

18 PROSPECTIVE JUROR: It various. Sometimes  
19 30, sometimes 50. It verifies a lot.

20 THE COURT: Any particular time of year  
21 you're more busy than any other?

22 PROSPECTIVE JUROR: Summertime.

23 THE COURT: Okay. Now, you mostly get hired  
24 by some other guy to help out or are you the person  
25 who gets hired to do the job and you --

1 PROSPECTIVE JUROR: I'm the person who gets  
2 hired to do the job.

3 THE COURT: And you hire other people?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Okay.

6 You have a cousin who works in the Sheriff's  
7 Department?

8 PROSPECTIVE JUROR: Yes, sir.

9 THE COURT: Cook County?

10 PROSPECTIVE JUROR: Yes, sir.

11 THE COURT: Somebody you see a lot of?

12 PROSPECTIVE JUROR: No, sir.

13 THE COURT: Do you know what he does, other  
14 than he works for the sheriff?

15 PROSPECTIVE JUROR: At the jail, I'm not sure  
16 what he does, actually.

17 THE COURT: Okay.

18 Ever been arrested or convicted of a crime?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: What was that?

21 PROSPECTIVE JUROR: DUI.

22 THE COURT: How long ago was that?

23 PROSPECTIVE JUROR: 3 years ago.

24 THE COURT: Whatever happened with that one?  
25 What was the disposition?

1 PROSPECTIVE JUROR: I was found guilty.

2 THE COURT: And the penalty was?

3 PROSPECTIVE JUROR: I had to go to classes  
4 and pay a fine.

:01AM

5 THE COURT: Okay. Ever been arrested on any  
6 other occasion?

7 PROSPECTIVE JUROR: I have been.

8 THE COURT: And what was that for?

:01AM

9 PROSPECTIVE JUROR: When I was a kid for  
10 misdemeanor stuff.

11 THE COURT: How long ago was that?

12 PROSPECTIVE JUROR: 20 plus years.

13 THE COURT: Okay. And what happened to that  
14 one?

:02AM

15 PROSPECTIVE JUROR: Dismissed.

16 THE COURT: Okay. Close friend, family  
17 member convicted of robbery, when was that?

18 PROSPECTIVE JUROR: I would say 1978.

19 THE COURT: Okay. A long time ago?

:02AM

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Friend or relative?

22 PROSPECTIVE JUROR: My brother.

23 THE COURT: Okay. What happened to him?

:02AM

24 PROSPECTIVE JUROR: Him and another guy beat  
25 up some guy and they got arrested and convicted.

1 THE COURT: Did they go to jail?

2 PROSPECTIVE JUROR: He had work release, my  
3 brother.

4 THE COURT: work release, okay.

:02AM

5 And you yourself have been the victim of  
6 burglary and auto theft and no one was ever caught?

7 PROSPECTIVE JUROR: Correct.

8 THE COURT: Okay. You said you sued CTA?

9 PROSPECTIVE JUROR: Yes.

:03AM

10 THE COURT: what for?

11 PROSPECTIVE JUROR: I was run over by a bus  
12 May 5th, 1978.

13 THE COURT: And you lost the case?

14 PROSPECTIVE JUROR: Yes.

:03AM

15 THE COURT: How come you lost the case?

16 PROSPECTIVE JUROR: They had better lawyers  
17 than I did.

18 THE COURT: It also says you sued an employer  
19 once for work injuries. Do you mean you filed a  
20 workman's comp. claim?

:03AM

21 PROSPECTIVE JUROR: No, I never sued.

22 THE COURT: Oh, you never did. Someone else  
23 did.

24 PROSPECTIVE JUROR: Yes.

:03AM

25 THE COURT: Okay. And you had a lawyer for



1 the DUI?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Did you have the lawyer for the  
4 other thing?

5 PROSPECTIVE JUROR: No.

6 THE COURT: How old were you when the other  
7 thing happened?

8 PROSPECTIVE JUROR: Ah, 22, I believe.

9 THE COURT: Okay. And you testified yourself  
10 in court?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And that was in connection with  
13 what?

14 PROSPECTIVE JUROR: The fight me and my  
15 brother got into with some guys.

16 THE COURT: Okay. And you classified, you  
17 said the experience testifying was, and I quote you,  
18 "unpleasant," is that right?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Very few people would give a  
21 different answer.

22 PROSPECTIVE JUROR: I understand that.

23 THE COURT: It says you used to hand out info  
24 at polling places?

25 PROSPECTIVE JUROR: I did once, yes.

1 THE COURT: Once? Once was enough.

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Ever volunteer again for any kind  
4 of political work?

:05AM

5 PROSPECTIVE JUROR: No.

6 THE COURT: Do you remember what that  
7 election was for?

8 PROSPECTIVE JUROR: A friend of mine was  
9 running for committeeman at Leighton township.

:05AM

10 THE COURT: Okay.

11 You followed the media coverage of this case,  
12 it says "extensively. " Every day?

13 PROSPECTIVE JUROR: Yeah, I haven't since  
14 I've been involved in this, but I have in the past,  
15 yes, sir.

:06AM

16 THE COURT: When you pick up the papers, is  
17 that the first thing you read?

18 PROSPECTIVE JUROR: No.

19 THE COURT: It's whatever comes, you read it?

:06AM

20 PROSPECTIVE JUROR: I read the sports and  
21 then I go to the front.

22 THE COURT: Okay. Thanks.

23 (Prospective juror exited the courtroom, and the  
24 following proceedings were had herein:)

:06AM

25 (Brief pause).

1 (Prospective juror entered the courtroom, and  
2 the following proceedings were had herein:)

3 THE COURT: Hi. Have a seat.

4 You are 130?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. You are an events planner?

7 PROSPECTIVE JUROR: I do social media and  
8 events in my job.

9 THE COURT: And you work for a very large  
10 company whose product is often consummated at  
11 events, is that correct?

12 PROSPECTIVE JUROR: You're correct.

13 THE COURT: Good. Between the event planning  
14 and the social media stuff, how much time is taken  
15 up with each one of those?

16 PROSPECTIVE JUROR: Right now probably 70  
17 percent social media and 30 percent events, but when  
18 I get into the summer and the beer festival season,  
19 it'll probably be more of a 50/50 split.

20 THE COURT: How many hours a week do you work  
21 with this stuff?

22 PROSPECTIVE JUROR: 45 to 50.

23 THE COURT: How long have you done this work,  
24 this kind of work?

25 PROSPECTIVE JUROR: Sure, I've been in this

1 role since November and before that it was in the  
2 support role, but then previously I worked for  
3 4 years in events.

4 THE COURT: Same kind of stuff?

5 PROSPECTIVE JUROR: Uh-huh.

6 THE COURT: Do you like that work?

7 PROSPECTIVE JUROR: I do.

8 THE COURT: Your father still has his  
9 business?

10 PROSPECTIVE JUROR: He does.

11 THE COURT: And how many -- 8 employees?

12 PROSPECTIVE JUROR: Yeah, it's really small.

13 THE COURT: And you have a relative or close  
14 friend who works for a unit inside the Department of  
15 Justice?

16 PROSPECTIVE JUROR: My mother is an analyst  
17 with the national Drug Intelligence Center.

18 THE COURT: How long has she done that?

19 PROSPECTIVE JUROR: I think she's been there  
20 10 or 11 years. I kind of lost track. I've been  
21 away from home so long.

22 THE COURT: Right. Where does she actually  
23 work?

24 PROSPECTIVE JUROR: In Johnstown,  
25 Pennsylvania.

1 THE COURT: Does she talk about her work with  
2 you?

3 PROSPECTIVE JUROR: A little bit. She's  
4 usually telling me to stay away from Mexico or raids  
5 because she analyzes drugs.

6 THE COURT: Right. And you have a close  
7 friend who works in the State of Appellate Office?

8 PROSPECTIVE JUROR: Yes, my former roommate  
9 and a classmate of mine.

10 THE COURT: Does she discuss her work with  
11 you?

12 PROSPECTIVE JUROR: A little bit. I mean,  
13 you know, we go to the movies and hang out, so if  
14 she feels like talking, we do, but ...

15 THE COURT: Does she express any strong  
16 opinions about the criminal justice system?

17 PROSPECTIVE JUROR: Does she?

18 THE COURT: Yeah.

19 PROSPECTIVE JUROR: Yeah. I mean, I think  
20 that because of the work she does she feels strongly  
21 about the court system and does what she needs to  
22 do.

23 THE COURT: Now, does she work for defendants  
24 or does she work for prosecutors?

25 PROSPECTIVE JUROR: She works for defendants.

1 So she is --

2 THE COURT: The Appellate Defenders Office.

3 PROSPECTIVE JUROR: Yeah; so she is mostly  
4 writing briefs and things.

:10AM

5 THE COURT: Okay. And it was your father who  
6 was in the Coast Guard?

7 PROSPECTIVE JUROR: Yes, retired Coast Guard.

8 THE COURT: And what was his rank when he  
9 retired?

:11AM

10 PROSPECTIVE JUROR: He was a captain in the  
11 Coast Guard, so I think that's a G 6 if you're going  
12 across the branches. I don't remember, whatever ...

13 THE COURT: That's okay.

:11AM

14 And summer is your busy season, and you  
15 indicated that you might have a lot of work that you  
16 wouldn't be available to do it?

:11AM

17 PROSPECTIVE JUROR: There probably would be a  
18 lot of travel. I actually brought -- because I run  
19 the Twitter page and the Facebook page for our  
20 business, I brought the documentation because part  
21 of my job is to be on-line all day and kind of  
22 engaged in conversations with people --

23 THE COURT: Well --

:12AM

24 PROSPECTIVE JUROR: -- but then from a  
25 festival perspective, yes, starting in May.

1 THE COURT: Well, some of what you do can be  
2 accommodated here and some of it, obviously, can't.

3 PROSPECTIVE JUROR: Correct. And a lot of it  
4 is weekends. I mean, if you have no problem with me  
5 getting on a plane on Thursday nights and coming  
6 back on Sundays.

7 THE COURT: Your pocket was picked on the El?

8 PROSPECTIVE JUROR: Yes, I was headed home  
9 for Christmas and someone went to my backpack and  
10 took my organized --

11 THE COURT: So did you notice it right away  
12 or it wasn't until you got home?

13 PROSPECTIVE JUROR: I was actually on my way  
14 to the airport and that's when I went to check in I  
15 realized it was missing.

16 THE COURT: A well-known problem with  
17 backpacks.

18 PROSPECTIVE JUROR: Yes; I'm much more  
19 careful now.

20 THE COURT: Somebody you know or somebody who  
21 is close to you, family member, was treated at  
22 Children's Memorial Hospital?

23 PROSPECTIVE JUROR: I've had a number friends  
24 who've had children in the care there, kind of that  
25 age where --

1 THE COURT: From time to time?

2 PROSPECTIVE JUROR: Yeah, I mean, I can think  
3 of three off the top of my head.

4 THE COURT: Anything about that experience  
5 affect your ability to be fair here?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Okay. Now, there's a series of  
8 questions, the one question you have is can you  
9 travel a lot of state during weekend breaks, the  
10 answer is yes.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: We don't put you in hotels  
13 anymore. That is a thing in the past.

14 PROSPECTIVE JUROR: I'm aware of that. It's  
15 okay.

16 THE COURT: You answered the question that  
17 you did not pay much attention to the trial, but you  
18 did see the defendant on talk shows or reality  
19 shows, and let me summarize it this way, you thought  
20 he was like a little off center, is that a fair  
21 characterization?

22 PROSPECTIVE JUROR: I would say so. I mean,  
23 I didn't go out of my way to read coverage of the  
24 trial, but from what I saw I just kind of felt like  
25 he's --



1 THE COURT: Now, this is the important  
2 question: He's not on trial for being a little off  
3 center.

4 PROSPECTIVE JUROR: Correct.

5 THE COURT: He's on trial for very specific  
6 charges which the government has to prove beyond a  
7 reasonable doubt. Would your opinion of the fact  
8 that maybe he's a little off center affect your  
9 ability to be fair on the issue of whether the  
10 government has proved its case?

11 PROSPECTIVE JUROR: I don't -- I don't  
12 believe so. I mean, I think if you're laying facts  
13 out in front of me, I could make the distinction.  
14 It's not about his reaction to them.

15 THE COURT: Okay. Thank you.

16 (Prospective juror exited the courtroom, and the  
17 following proceedings were had herein:)

18 (Brief pause).

19 (Prospective juror entered the courtroom, and  
20 the following proceedings were had herein:)

21 (Brief pause).

22 THE COURT: Hi.

23 PROSPECTIVE JUROR: Good morning.

24 THE COURT: Every time I do this, every time  
25 I do this I always say to the juror you're number

1 so-and-so, but we've gone out of order, so you're  
2 going to have to tell me your own number.

3 PROSPECTIVE JUROR: 131.

4 THE COURT: You're 131. Thank you.

5 You left California to come here?

6 PROSPECTIVE JUROR: Yes, sir.

7 THE COURT: Are you -- do you still think  
8 that was the right thing to do in light of the  
9 weather?

10 PROSPECTIVE JUROR: All my family is in  
11 California, so I do miss them, but you follow your  
12 love sometimes, too.

13 THE COURT: Okay. Obviously, I'm not going  
14 to ask you each of these questions, that's why we  
15 ask you to fill out the questionnaire. You have a  
16 Bachelor's Degree in nutritional science, right?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And you work for a food company?

19 PROSPECTIVE JUROR: Correct.

20 THE COURT: I'm asking you a question out of  
21 idle curiosity not because it's that important:  
22 When you do what you do, do you, like, specialize in  
23 a specific fruit or --

24 PROSPECTIVE JUROR: Bananas.

25 THE COURT: Bananas. Okay.

1           You answered the question about jobs and you  
2 put something down, I don't know what it is, it's  
3 PHFE.

4           PROSPECTIVE JUROR: Oh, Public Health  
5 Foundation Enterprises.

6           THE COURT: Okay. Now, what did you do for  
7 them? It's that a volunteer stuff?

8           PROSPECTIVE JUROR: It's not. It's a  
9 nutrition counseling program.

10          THE COURT: Okay. And that's what you did  
11 for them, you were a dietician?

12          PROSPECTIVE JUROR: Correct.

13          THE COURT: Just one question that's curious.  
14 You indicated that there was a family member who  
15 served in the military but you have no idea of where  
16 and when, is that right?

17          PROSPECTIVE JUROR: Right; my grandfather.

18          THE COURT: A long time ago.

19          PROSPECTIVE JUROR: Yes, a long time ago.

20          THE COURT: You had to, you yourself, had to  
21 fill out a report or report something with respect  
22 to a car accident?

23          PROSPECTIVE JUROR: Yeah.

24          THE COURT: Do you know of anybody who was  
25 issued a ticket for that one?

1 PROSPECTIVE JUROR: She hit me, so I don't  
2 know if she --

3 THE COURT: Did you get a ticket?

4 PROSPECTIVE JUROR: No. No.

:19AM

5 THE COURT: Okay. Do you belong to anything  
6 at all? Any group, any organization, any club,  
7 anything?

8 PROSPECTIVE JUROR: The American Dietetic  
9 Association.

:19AM

10 THE COURT: Okay. That counts. Anything  
11 else?

12 PROSPECTIVE JUROR: That's it.

:19AM

13 THE COURT: I'm going to down your exercise  
14 stuff, and there's a way you phrased this that's  
15 going to lead to a question because one of things  
16 you put down was triathlons, and I can't tell  
17 whether you're interested in watching triathlons or  
18 doing triathlons.

19 PROSPECTIVE JUROR: Doing triathlons.

:20AM

20 THE COURT: How many do you do?

21 PROSPECTIVE JUROR: I've done two.

22 THE COURT: Is this something you came too  
23 late?

24 PROSPECTIVE JUROR: Yes.

:20AM

25 THE COURT: Okay. And you came to it because

1 before you used to bike or you used to run?

2 PROSPECTIVE JUROR: A little bit of both.

3 THE COURT: Okay. There's one question you  
4 didn't answer, "do you have an opinion about  
5 political fundraising." That could be yes, or no,  
6 or no opinion.

7 PROSPECTIVE JUROR: I have no opinion.

8 THE COURT: Pay a lot of attention to  
9 politics?

10 PROSPECTIVE JUROR: If it's in the media, but  
11 otherwise, I'd say not really.

12 THE COURT: Now, there is some things that  
13 you mentioned, and I'm going to go over them, that  
14 you can remember from the stuff you read, heard or  
15 saw about a trial in the summer, last summer. The  
16 question I have for you is, anything you read or  
17 anything you know going to affect your ability to  
18 decide this case solely on the evidence in the  
19 courtroom?

20 PROSPECTIVE JUROR: (No response.)

21 THE COURT: Let me put it another way.

22 PROSPECTIVE JUROR: Yeah.

23 THE COURT: When you come into the courtroom,  
24 particularly for a case that's had some publicity,  
25 most people have some knowledge or at least they

1 think it's knowledge, because sometimes they're  
2 sadly mistaken, they think they have knowledge about  
3 the case that they acquired from TV or the news, and  
4 when we have people on the jury, we don't expect  
5 them to be able to erase that from their minds or to  
6 forget about it completely. In fact, I can't think  
7 of anything that would make it more likely for you  
8 to remember something than for me to point at it and  
9 tell you to forget it. What we require is is that  
10 when you decide the case, you take everything that  
11 you heard or read about the case outside the  
12 courtroom, you put it off to one side, and you start  
13 balancing the scales of evidence only with the  
14 things that were testified to or that you heard as  
15 evidence in court. That's what we ask you to do, to  
16 put any prior opinions or knowledge to one side and  
17 reach a conclusion solely on the basis of the  
18 evidence. Can you do that?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: What's the flight in May, what's  
21 that for?

22 PROSPECTIVE JUROR: I'm a godmother to my  
23 girlfriend's child who is getting baptized.

24 THE COURT: Okay. Thank you.

25 (Prospective juror exited the courtroom, and the

1 following proceedings were had herein:)

2 (Brief pause).

3 (Prospective juror entered the courtroom, and  
4 the following proceedings were had herein:)

:24AM

5 THE COURT: Hello.

6 PROSPECTIVE JUROR: Hi.

7 THE COURT: You're 132?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Okay. The video store.

:24AM

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: This is the family video store?

12 PROSPECTIVE JUROR: Well, it's an

13 independent.

14 THE COURT: Right.

:24AM

15 PROSPECTIVE JUROR: Yeah. But it is a

16 family --

17 THE COURT: The family has the video store  
18 and you sometimes work there?

:24AM

19 PROSPECTIVE JUROR: It's my husband's store,  
20 yes, and we help by filling in or when he needs help  
21 with an employee.

22 THE COURT: How's business?

:25AM

23 PROSPECTIVE JUROR: It's slow. It's picking  
24 up. We had closed for about 4 months, and most of  
25 my main customers went to other avenues, but they're

1 slowly coming back.

2 THE COURT: Do you think in the long run the  
3 video store is going to survive?

4 PROSPECTIVE JUROR: It depends. Right now  
5 they put the 28-day block so like Netflix and Red  
6 Box can't access to them, whereas that wasn't there  
7 before. Now that they're doing it, it's helping us.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: Watch a lot of movies yourself?

11 PROSPECTIVE JUROR: Yes, sir.

12 THE COURT: Do you have strong opinions about  
13 movies?

14 PROSPECTIVE JUROR: What I like. I like  
15 comedies, dramas, I don't like Syfi, I like action,  
16 I don't like horror.

17 THE COURT: Now, how often do you work there?  
18 How many hours a week?

19 PROSPECTIVE JUROR: It -- it really varies.  
20 Like last week I was there may be 2 hours, I was  
21 here most of the time, granted, but we open late.  
22 We open at 3:00.

23 THE COURT: And you volunteer for the town  
24 festivals?

25 PROSPECTIVE JUROR: Yes.



1 THE COURT: Do you do that every year?

2 PROSPECTIVE JUROR: I may not do it this  
3 year. I have a bad knee that acts up, there's a lot  
4 of walking to that.

5 THE COURT: You have a son who worked for a  
6 security, in a security position, a daughter who  
7 works as a bank teller.

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Who was in the Navy?

10 PROSPECTIVE JUROR: That was my brother. I  
11 lived in Texas when he was in the Navy, so I don't  
12 know much of where he was stationed and such.

13 THE COURT: You answered the question about  
14 hiring a lawyer for a particular kind of proceeding.  
15 In the end, were you satisfied with the results of  
16 that proceeding?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And that was in 2001?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Ever hire a lawyer for any other  
21 reason?

22 PROSPECTIVE JUROR: No, Your Honor.

23 THE COURT: Who was the justice of the peace  
24 in Texas?

25 PROSPECTIVE JUROR: That was my father.

1 THE COURT: Your father.

2 Dogs. Many dogs, a few dogs?

3 PROSPECTIVE JUROR: Five dogs.

4 THE COURT: Five dogs.

:28AM

5 PROSPECTIVE JUROR: I just rescued one, so  
6 five.

7 THE COURT: You read the local paper?

:29AM

8 PROSPECTIVE JUROR: My husband takes it to  
9 work with him, so if I can get a copy; not usually.  
10 I read maybe front section once a week.

11 THE COURT: You follow news on television or  
12 radio?

:29AM

13 PROSPECTIVE JUROR: I tape it and then I fast  
14 forward through what I want to hear, yes, I do. I  
15 usually watch the weather, though, and the pictures  
16 on channel 5.

17 THE COURT: Okay. And, basically, you never  
18 paid much attention to this case first time around,  
19 is that right?

:29AM

20 PROSPECTIVE JUROR: No; I knew it was going  
21 on, but, no.

22 THE COURT: But you don't come to this case  
23 with any preconceptions, one way or the other, about  
24 how it ought to turn out, is that right?

:30AM

25 PROSPECTIVE JUROR: You're right.

1

2 THE COURT: You watch Judge Judy?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: A lot of or a little?

:30AM

5 PROSPECTIVE JUROR: When I'm at work, it's  
6 on.7 THE COURT: Right. It's not much like that  
8 here. I don't want you to be disappointed.

:30AM

9 PROSPECTIVE JUROR: No, that's basically  
10 everybody that is married or living together is  
11 basically Judge Judy.

12 THE COURT: Okay. Thank you.

13 PROSPECTIVE JUROR: Thank you.

:31AM

14 (Prospective juror exited the courtroom, and the  
15 following proceedings were had herein:)

16 (Brief pause).

17 (Prospective juror entered the courtroom, and  
18 the following proceedings were had herein:)

19 THE COURT: Hi. You're number 133?

:31AM

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Good. You had a list of  
22 prescription drugs which may or may not have side  
23 effects on you.

24 PROSPECTIVE JUROR: Correct.

:31AM

25 THE COURT: And you list the drugs, and I

1 don't want to go through them in a public record,  
2 but would any of the side effects you have, if you  
3 have them, affect your ability to be a fair juror?

4 PROSPECTIVE JUROR: No.

5 THE COURT: You just think they may make you  
6 uncomfortable?

7 PROSPECTIVE JUROR: Correct.

8 THE COURT: Okay. That's all I want to know.  
9 You're youngest child is 40?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Who did you refer to, friends or  
12 relatives, with respect to the Army and the Navy?

13 PROSPECTIVE JUROR: Let me see, my  
14 brother-in-law, a couple of nephews, I have a couple  
15 of nephews that are in the service right now.

16 THE COURT: Do you know of any family member  
17 or close friend who has been arrested or convicted  
18 of a crime?

19 PROSPECTIVE JUROR: No.

20 THE COURT: And the only reason you consulted  
21 with lawyers over the years is real estate and  
22 probate?

23 PROSPECTIVE JUROR: Correct.

24 THE COURT: Okay. There are two questions  
25 here to which you put question marks, and given the

1 phrasing of the question, I don't really blame you.  
2 One was:

3 "Have you or anyone close to you ever been asked  
4 to testify in court as a witness?"

5 Have you ever had to testify in court?

6 PROSPECTIVE JUROR: I did probably about 39,  
7 40 years ago in my sister's divorce hearing.

8 THE COURT: In what?

9 PROSPECTIVE JUROR: In a divorce hearing.

10 THE COURT: That's the only time?

11 PROSPECTIVE JUROR: That's the only I've  
12 ever --

13 THE COURT: Has anybody filed a suit against  
14 you or someone you know, a lawsuit?

15 PROSPECTIVE JUROR: Not to my knowledge, not  
16 against me.

17 THE COURT: Usually you do know. They give  
18 you a piece of paper.

19 PROSPECTIVE JUROR: Not against me, they  
20 haven't.

21 THE COURT: Okay. You have a list of  
22 basically charitable and civic organizations that  
23 you participate in one way or the another. Are any  
24 of those things that take place a significant amount  
25 of your time?

1 PROSPECTIVE JUROR: No, I'm a hobbyist, a  
2 quilter, and I make quilts for the majority of them.

3 THE COURT: Right. And then they sell them  
4 and --

5 PROSPECTIVE JUROR: Basically, no, they just  
6 use them. Some of them sell them, but usually, like  
7 the Shriners Children Hospital, they actually use  
8 them.

9 THE COURT: Okay. How much of time does it  
10 take you? How much time do you devote to that out  
11 of a week?

12 PROSPECTIVE JUROR: I can make one crib-sized  
13 quilt, it'll take me probably two days, and I make  
14 anywhere from 30 to 50 of them a year.

15 THE COURT: Now, you do recognize, and you  
16 said this in answer to several questions, that with  
17 respect to politicians, you said:

18 "I believe most are honest and really believe  
19 they can do good, but upon being selected find  
20 out there is some pay-to-play to a certain  
21 extent ... "

22 And then you also answered the question which  
23 said -- in answer to the question:

24 "Do you believe that public officials make  
25 official decisions to benefit contributors in

1 exchange for campaign contributions they have  
2 received or believe they will receive?

3 And you said yes, and then you said:

4 "I don't think it's right, but I think most of  
5 them do it."

6 Now, the question I want to ask you is, even  
7 if you're right that most of them do it, the issue  
8 before you here is not going to be whether most of  
9 them do it, there is no defendant named most, and  
10 there are not a lot of defendants, there's just one.  
11 The question is going to be whether the government  
12 can prove its case beyond a reasonable doubt that  
13 this defendant did something that was against the  
14 law. So my question to you is, you can put aside  
15 whatever general opinions you have about elected  
16 officials and decide this case solely on the basis  
17 of the evidence in this courtroom, can you do that?

18 PROSPECTIVE JUROR: I believe I can, sir.

19 THE COURT: Okay. Actually, I shouldn't have  
20 asked you a bunch of questions since you put it in  
21 writing, you have the phrase, "quilting constantly."

22 PROSPECTIVE JUROR: Hey, if I were at home  
23 right now, I'd have my quilting machine going. In  
24 fact, in the little room I've got a quilt I'm  
25 putting a binding on it. So I am always at my

1 sewing machine.

2 THE COURT: Do you listen to anything when  
3 you're quilting? Radio?

4 PROSPECTIVE JUROR: Pardon me?

5 THE COURT: Do you listen to anything when  
6 you're quilting?

7 PROSPECTIVE JUROR: Oh, I usually have a  
8 radio station on, yeah.

9 THE COURT: Music or talk?

10 PROSPECTIVE JUROR: Music.

11 THE COURT: Yeah. Now, there's one other  
12 last question I want to ask you about. The  
13 questionnaire said:

14 "This case involves cooperating individuals  
15 utilized by federal agents, do you have any  
16 view about the use of cooperating individuals  
17 ho would make it difficult for you to be fair  
18 to either side in this case?"

19 And your answer was yes, and you said:

20 "If someone who has been convicted of crimes  
21 testified, how can I be sure it's truthful if  
22 he's being compensated in any way, shape, or  
23 form?"

24 which is your answer to a question with a  
25 question, so I'll give you the answer to that. The



1 answer is, there's no machine that will tell you  
2 whether they're truthful, there is no test you can  
3 administer to them. The reason we have juries is  
4 the jurors use their judgment of an individual and  
5 make a determination whether that individual is  
6 telling the truth. Sometimes that's a hard decision  
7 to make, sometimes it's real easy, but there's no  
8 program, no computer program for that, even the ones  
9 we all have in our own minds, you just have to make  
10 a judgment, and the question is, would you be  
11 willing to make that judgment.

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Okay.

14 It actually may not be all that dissimilar  
15 from the time many years ago when you had to decide  
16 which child was telling you the truth.

17 PROSPECTIVE JUROR: Right.

18 THE COURT: Thank you.

19 (Prospective juror exited the courtroom, and the  
20 following proceedings were had herein:)

21 (Brief pause).

22 (Prospective juror entered the courtroom, and  
23 the following proceedings were had herein:)

24 THE COURT: Have a seat.

25 You're 134?

1 PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: Okay.

3 How long have you been doing your current  
4 job?

5 PROSPECTIVE JUROR: It's going on 2 years.

6 THE COURT: And what did you do before then?

7 PROSPECTIVE JUROR: Homemaker.

8 THE COURT: Okay. And I don't want to say  
9 this out loud, but you answered a question which  
10 said, basically, that you had plans for changing  
11 your life in a pretty big way?

12 PROSPECTIVE JUROR: Uh-huh.

13 THE COURT: Are those still your plans?

14 PROSPECTIVE JUROR: Actually, 3 months.

15 THE COURT: Say that again. Speak into the  
16 mike, I'm not hearing your answer.

17 THE MARSHAL: Testing, one, two, three.

18 (Screeching noise in the courtroom.)

19 THE COURT: Hold it at the bottom.

20 PROSPECTIVE JUROR: Okay. Sorry. 3 months.  
21 In 3 months I'll be moving to California.

22 THE COURT: Okay. You pay much attention to  
23 politics and elections?

24 PROSPECTIVE JUROR: No, Your Honor.

25 THE COURT: Do you have any particular

:40AM

:41AM

:41AM

:42AM

:43AM

1 hobbies or activities that you do?

2 PROSPECTIVE JUROR: Usually with my teenager  
3 daughters, shopping with them, and, you know, we go  
4 to church a lot.

: 43AM

5 THE COURT: Anything you particularly read?

6 PROSPECTIVE JUROR: The Bible.

7 THE COURT: Any magazines you read?

8 PROSPECTIVE JUROR: Women's World Magazine,  
9 uh-huh.

: 43AM

10 THE COURT: Now, do you read both the Bible  
11 and Women's World regularly?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Do you listen to anything on the  
14 radio in particular?

: 43AM

15 PROSPECTIVE JUROR: Like -- not really.  
16 Like B 96, or some Christian station on the radio,  
17 too.

18 THE COURT: You listen to a lot of radio?

19 PROSPECTIVE JUROR: Not really.

: 44AM

20 THE COURT: Watch a lot of television?

21 PROSPECTIVE JUROR: I watch a lot of cable.

22 THE COURT: Never sat on a jury before?

23 PROSPECTIVE JUROR: Never.

: 44AM

24 THE COURT: Ever watch a show about courtroom  
25 dramas?

1 PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: Thank you.

3 PROSPECTIVE JUROR: Okay.

4 (Prospective juror exited the courtroom, and the  
5 following proceedings were had herein:)

6 (Brief pause).

7 (Prospective juror entered the courtroom, and  
8 the following proceedings were had herein:)

9 THE COURT: You're number 135?

10 PROSPECTIVE JUROR: Yes, I am.

11 THE COURT: Okay. You are a nurse?

12 PROSPECTIVE JUROR: Yes, I'm a nurse.

13 THE COURT: But your current business is  
14 basically dealing with preventative medicine, is  
15 that correct?

16 PROSPECTIVE JUROR: It's basically  
17 preventative, but it's giving flu and pneumonia  
18 shots.

19 THE COURT: And how many weeks out of the  
20 year do you work?

21 PROSPECTIVE JUROR: I would say it's  
22 seasonal, so maybe 4 to 6.

23 THE COURT: The questionnaire says you do  
24 most of your business in October and November.

25 PROSPECTIVE JUROR: Right.

1 THE COURT: Okay. And you work as a docent  
2 for a museum, is that correct?

3 PROSPECTIVE JUROR: Yes, that's correct.

4 THE COURT: And it says here you work there  
5 one or two days per week, generally speaking.

6 PROSPECTIVE JUROR: Right.

7 THE COURT: And your spouse is a physician?

8 PROSPECTIVE JUROR: Yes, he is.

9 THE COURT: Three children, the youngest is  
10 22?

11 PROSPECTIVE JUROR: Right.

12 THE COURT: Tell me a little about your  
13 mother.

14 PROSPECTIVE JUROR: My mother was diagnosed  
15 with pulmonary hypertension which led to heart  
16 failure. She was hospitalized. I was taking care  
17 of her, but she is better now. She was started on  
18 medicine and she is feeling much better.

19 THE COURT: Okay. And during a significant  
20 period of time, you had to spend a lot of time to  
21 attend to her, is that correct?

22 PROSPECTIVE JUROR: well, I pretty much was  
23 visiting her in the hospital, taking her to some  
24 doctors' appointments, but she does live  
25 independently, you know, by herself and she does

1 drive, so ....

2 THE COURT: Okay. Fine.

3 Ever been in a courtroom yourself as a  
4 witness?

:48AM

5 PROSPECTIVE JUROR: Never.

6 THE COURT: Okay. Your husband was sued but  
7 was not found liable, is that correct?

8 PROSPECTIVE JUROR: Right; he was --

9 THE COURT: How long ago was that?

:48AM

10 PROSPECTIVE JUROR: That was, I would say,  
11 maybe 5 years ago.

12 THE COURT: Did the case go to trial or --

13 PROSPECTIVE JUROR: It did go to trial.

14 THE COURT: Okay. Did you attend that trial?

:48AM

15 PROSPECTIVE JUROR: No, I did not.

16 THE COURT: And I take it from one of your  
17 answers, you do donate time to various charitable  
18 organizations?

19 PROSPECTIVE JUROR: Yes, I do.

:49AM

20 THE COURT: Now, have you ever worked or  
21 given money to somebody who's a candidate for  
22 office?

:49AM

23 PROSPECTIVE JUROR: No, I have not. Mine are  
24 more, you know, for regular people, ADA, the  
25 Weizmann Institute, Children's Homes.

1 THE COURT: Institutions, in other words.

2 PROSPECTIVE JUROR: Right.

3 THE COURT: Things like hospitals, museums.

4 PROSPECTIVE JUROR: Have I ever raised money  
5 for a hospital?

6 THE COURT: No, no. What I'm trying to get  
7 at is whether the stuff that you do has a political  
8 twist to it or --

9 PROSPECTIVE JUROR: No, it does not.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR: I'm a docent to the  
12 Illinois Holocaust Museum.

13 THE COURT: Yeah. And, actually, if I'd  
14 looked at the next page I would have said that you  
15 clearly said I haven't been involved with political  
16 fundraising.

17 PROSPECTIVE JUROR: No.

18 THE COURT: And I would not have asked you  
19 that question.

20 PROSPECTIVE JUROR: That's okay.

21 THE COURT: Is it fair to say that your  
22 hobbies and activities are basically centered around  
23 the stuff you volunteer to do?

24 PROSPECTIVE JUROR: Ah --

25 THE COURT: I didn't say entirely, I said

1 basically.

2 PROSPECTIVE JUROR: I think it's fair to say  
3 something like that.

4 THE COURT: Okay. But you also list things  
5 like bike riding and exercise?

6 PROSPECTIVE JUROR: Yes, I like to exercise.  
7 I like preventative care and that's part of it.

8 THE COURT: Okay. Okay, two last answers I  
9 want to ask you about.

10 PROSPECTIVE JUROR: Okay.

11 THE COURT: You said that, when you were  
12 asked if you have read or heard anything about the  
13 case, which we asked you in four or five different  
14 ways, just so you don't miss it.

15 PROSPECTIVE JUROR: Right.

16 THE COURT: It says have you formed any  
17 opinion on what you have observed, and what you said  
18 is yes, and then you said he was caught on tape  
19 doing X, Y and Z. My question is, and I think you,  
20 probably understand that this but I'll say it to  
21 you, anyway --

22 PROSPECTIVE JUROR: Right.

23 THE COURT: -- everything that you have heard  
24 or read about the case and every opinion that you  
25 may or may not have had before, if you sit on this



1 jury, all of that stuff has to be laid off to one  
2 side and not play any part in your decision process.  
3 In other words, you may have had an opinion, you may  
4 have learned something, but if it's not part of the  
5 evidence in this case, you cannot consider it. What  
6 we usually say to people is, you put it off to one  
7 side and you decide the case solely on the basis of  
8 the evidence you hear inside the courtroom and  
9 that's what you put on the scales when you weigh it.

10 PROSPECTIVE JUROR: Right.

11 THE COURT: Would you be able to do that?

12 PROSPECTIVE JUROR: I believe I can. I'm not  
13 so interested in politics. I gravitate towards  
14 stories that are more about regular people. I'm  
15 more of, I believe certain things for human rights  
16 are black and white, that's why I do many of the  
17 charities that I do and I'm involved in them, but I  
18 think that a lot of the things in life are gray.  
19 And so to answer your question, I think I could.

20 THE COURT: Okay. Then you also have a  
21 reference to something you heard that the defendant  
22 said about an accusation that the government is  
23 withholding evidence. Unless, for example, that's  
24 proven in court, you would have to disregard, put  
25 that memory of what was said off the scales of

1 justice, do you think you'd be able to do that?

2 PROSPECTIVE JUROR: Yes, I do. I'm not  
3 really politically inclined. So politics is not  
4 really what I'm so interested in. So I have watched  
5 the news, I watch the news every day, and you can't  
6 help but hear things that are said on the news  
7 because the news is important.

8 THE COURT: Right.

9 PROSPECTIVE JUROR: So I was repeating what I  
10 said on the news.

11 THE COURT: Okay. That's fine. Thank you.  
12 (Prospective juror exited the courtroom, and the  
13 following proceedings were had herein:)  
14 (Brief pause).

15 THE COURT: One more and then we break.  
16 (Prospective juror entered the courtroom, and  
17 the following proceedings were had herein:)

18 THE COURT: Hello.

19 PROSPECTIVE JUROR: Hello.

20 THE COURT: You're number 137?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: You majored in criminal justice  
23 and sociology?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And now you work for a state

1 agency that deals with people's claim for money of  
2 one kind or another?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And what you do is you provide  
5 information about the process to whoever is making a  
6 claim for it and to whoever is on the other side, is  
7 that correct?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And you've done that for how  
10 long?

11 PROSPECTIVE JUROR: 5 years.

12 THE COURT: And what did you do before then?

13 PROSPECTIVE JUROR: I was a domestic violence  
14 counselor.

15 THE COURT: Okay. And how long did you do  
16 that?

17 PROSPECTIVE JUROR: 5 years.

18 THE COURT: And who did you work for then?

19 PROSPECTIVE JUROR: At the domestic violence  
20 counseling?

21 THE COURT: At the where?

22 PROSPECTIVE JUROR: I'm sorry, I didn't  
23 understand.

24 THE COURT: who did you work for when you  
25 were a domestic violence counselor?

1 PROSPECTIVE JUROR: Oh, it was called Mujeres  
2 Latinas en Accion.

3 THE COURT: It's basically designed to serve  
4 Hispanic clients?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And you worked as a paralegal for  
7 Por Acqui & Associates.

8 PROSPECTIVE JUROR: Yes, for 2 years.

9 THE COURT: And what kind of stuff did you  
10 work on?

11 PROSPECTIVE JUROR: Medical malpractice and  
12 work injuries.

13 THE COURT: And you've been a Sunday school  
14 teacher or are you a Sunday school teacher?

15 PROSPECTIVE JUROR: For the past year I have  
16 not.

17 THE COURT: And you work with 3 to 5-year old  
18 children?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Very courageous.

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: And your father owned a business  
23 or owns a business?

24 PROSPECTIVE JUROR: Yes, he does.

25 THE COURT: And you worked in that business,

1 too?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: And your husband also works, is  
4 that correct?

:57AM

5 PROSPECTIVE JUROR: He is currently employed,  
6 yes.

7 THE COURT: And what kind of work does he do?

8 PROSPECTIVE JUROR: He's an auto mechanic and  
9 he manages the office where he works.

:57AM

10 THE COURT: Okay. And when you got the job  
11 at the current agency you worked for, you also  
12 applied to another state agency, is that correct?

13 PROSPECTIVE JUROR: Yes, I did.

14 THE COURT: And you took the job that you got  
15 called for first?

:57AM

16 PROSPECTIVE JUROR: I did.

17 THE COURT: You like your work?

18 PROSPECTIVE JUROR: I do.

19 THE COURT: Do you belong to anything? Club,  
20 group, organization, a union, a church, anything at  
21 all?

:58AM

22 PROSPECTIVE JUROR: Yes, a union, because of  
23 work.

24 THE COURT: Okay. And which union do you  
25 belong to?

:58AM

1 PROSPECTIVE JUROR: Local 1065.

2 THE COURT: An ACME local?

3 PROSPECTIVE JUROR: ACME, yes.

4 THE COURT: And we asked you what your  
5 primary activities are and, basically, you said  
6 children.

7 PROSPECTIVE JUROR: Yes, during the day I go  
8 to work and after work I am a mom.

9 THE COURT: Okay. And you want to miss the  
10 Oprah show on May 10th.

11 PROSPECTIVE JUROR: No.

12 THE COURT: For which you have tickets or a  
13 ticket?

14 PROSPECTIVE JUROR: Well, we have four  
15 tickets.

16 THE COURT: Four tickets.

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And you did see some news  
19 coverage of the first trial, is that right?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: What you said in answer to the  
22 one question is:

23 "Media usually repeats the same information  
24 which I feel would not be enough to render a  
25 decision."

1           That is your view?

2           PROSPECTIVE JUROR: Yes.

3           THE COURT: Well, you're right, it's not  
4 enough to render a decision. Your duty is to decide  
5 this case solely on the basis of the evidence that  
6 you hear in court, not on the basis of anything you  
7 heard or read out of court, do you understand that?

8           PROSPECTIVE JUROR: Yes.

9           THE COURT: Do you think you can do that?

10          PROSPECTIVE JUROR: Yes.

11          THE COURT: Thank you.

12          PROSPECTIVE JUROR: Thank you.

13          (Prospective juror exited the courtroom, and the  
14 following proceedings were had herein:)

15          THE COURT: We'll take a break now from the  
16 jury, but I want counsel come to the lectern.

17          You can sit back down.

18          You can rise if you want to, but counsel come  
19 to the lectern.

20          (Brief pause).

21          THE COURT: A couple of observations I have.  
22 With respect to juror 135, juror 135 filed a request  
23 for deferral based on certain specific  
24 circumstances. I regard that as now withdrawn for  
25 good reasons, curative reasons. So we're okay with

1 that.

2 Anybody want to do a quick rundown on  
3 challenges for cause in this last group or you can  
4 save it, if you want to, it's up to you.

5 MR. SOROSKY: Could we save those until the  
6 end of the day?

7 THE COURT: You want to save them?

8 MR. SCHAR: Yeah. Sure.

9 THE COURT: That is probably better.

10 I would say maybe 15 minutes.

11 (Recess.)

12 (The following proceedings were had out of the  
13 presence of the prospective jury in open  
14 court:)

15 THE MARSHAL: Ladies and gentlemen, please  
16 remain seated.

17 THE COURT: We're doing 138 now?

18 MR. SCHAR: Yes, Judge.

19 THE COURT: Yes. Okay.

20 (Prospective juror entered the courtroom, and  
21 the following proceedings were had herein:)

22 THE COURT: Hi. Please sit down.

23 You're 138 today?

24 PROSPECTIVE JUROR: Yes, I am.

25 THE COURT: Okay. Who do you work for?



1 PROSPECTIVE JUROR: The Chicago Tribune.

2 THE COURT: And what do you do for them?

3 PROSPECTIVE JUROR: Right now I run the On  
4 the Town section which is weekend entertainment  
5 products.

6 THE COURT: And you have indicated to me that  
7 the 10 to 12 week duration would impose a  
8 significant hardship because you have no long-term  
9 replacement?

10 PROSPECTIVE JUROR: That is correct.

11 THE COURT: Would that have been true four or  
12 5 years ago?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Well, I think it's a very  
15 selfless thing for you to do because there'll be a  
16 tremendous book opportunity if you sat on this jury.

17 PROSPECTIVE JUROR: Ah, that has crossed my  
18 mind, but I just think that it would be -- I'm just  
19 not thinking of it as a book writer. Not that  
20 interesting.

21 THE COURT: Have you had anything to do at  
22 all with the coverage of this first trial?

23 PROSPECTIVE JUROR: Outside of conversations  
24 with friends who cover it, voracious consumption of  
25 what we do, reading editorials, forming opinions,

1 no. It wasn't meant to be as flip as it sounded.

2 THE COURT: No, actually I thought it was  
3 appropriate under the circumstances.

4 You once had a relationship with a State  
5 Representative?

6 PROSPECTIVE JUROR: Yes, she's my ex-wife,  
7 Elaine Nekritz.

8 THE COURT: Did you work at all in her  
9 campaigns?

10 PROSPECTIVE JUROR: Yes, in volunteer  
11 efforts, crowd control, that sort of thing.

12 THE COURT: When did you start with the  
13 Tribune?

14 PROSPECTIVE JUROR: In 2000.

15 THE COURT: And were you employed before  
16 then?

17 PROSPECTIVE JUROR: Yes, at Channel 11.

18 THE COURT: And what did you do for them?

19 PROSPECTIVE JUROR: I worked on their  
20 newspaper which was called -- God, the name escapes  
21 me now. City Talk, and had some audio work, as  
22 well.

23 THE COURT: And how long did you work for  
24 them?

25 PROSPECTIVE JUROR: 1 year.

1 THE COURT: And before that?

2 PROSPECTIVE JUROR: The Sun-Times.

3 THE COURT: What did you do for the  
4 Sun-Times?

:35AM

5 PROSPECTIVE JUROR: I began as a copy clerk  
6 and then became a reporter and then a reporter  
7 editor.

8 THE COURT: And did you get these news jobs  
9 out of college or did you do something else first?

:35AM

10 PROSPECTIVE JUROR: No, I spent a number of  
11 years being a dummy and trying to be a World Class  
12 amateurist cyclist and that didn't go so well, and  
13 then came back from my last Olympic trials and the  
14 managing editor said "what do you want to do now"  
15 and I said I would like to try writing, and he said,  
16 "okay, go start."

:35AM

17 THE COURT: Is your mother still employed or  
18 did she retire?

19 PROSPECTIVE JUROR: She is retired.

:35AM

20 THE COURT: And how about father?

21 PROSPECTIVE JUROR: He is retired as well.

22 THE COURT: I noticed that you read the  
23 Tribune daily, the Sun-Times daily, and the Daily  
24 Herald daily.

:36AM

25 PROSPECTIVE JUROR: Yes; absolutely.

1 THE COURT: Do you read any out-of-town  
2 newspapers at all?

3 PROSPECTIVE JUROR: The New York Times, Wall  
4 Street Journal.

5 THE COURT: Thank you.

6 PROSPECTIVE JUROR: Thank you.

7 (Prospective juror exited the courtroom, and the  
8 following proceedings were had herein:)

9 (Brief pause).

10 (Prospective juror entered the courtroom, and  
11 the following proceedings were had herein:)

12 THE COURT: You are number 139?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: I'm not going to go over all of  
15 these questions with you, but I am going to do a few  
16 of them. The first one is is you said that you're  
17 taking some prescription drugs which have side  
18 effects that you're aware of. Are any of those side  
19 effects the kind of thing that would prevent you  
20 from being a tentative juror?

21 PROSPECTIVE JUROR: No, I've been wide awake  
22 since I've been here, all three days.

23 THE COURT: So these are just annoying kinds  
24 of things that happen to you.

25 PROSPECTIVE JUROR: Uh-huh.

:37AM

:37AM

:37AM

1 THE COURT: Okay.

2 You owe somebody a thesis?

3 PROSPECTIVE JUROR: University of Chicago.

4 THE COURT: Okay. How long?

:38AM

5 PROSPECTIVE JUROR: I have to pay them the  
6 money, too, for that class so ...

7 THE COURT: Has it been a while?

8 PROSPECTIVE JUROR: Uh-huh.

:38AM

9 THE COURT: University of Chicago holds the  
10 world's record for waiting for dissertations.

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: You're a graphic designer?

13 PROSPECTIVE JUROR: Uh-huh.

:38AM

14 THE COURT: How long have you done that kind  
15 of work?

16 PROSPECTIVE JUROR: My undergraduate is art,  
17 and I was able to get a job in my field. So I've  
18 been doing art the whole time, so almost 20 years.

:38AM

19 THE COURT: This is like design layouts and  
20 stuff like that?

21 PROSPECTIVE JUROR: Uh-huh.

22 THE COURT: Okay. And this is like magazines  
23 and news letters?

:39AM

24 PROSPECTIVE JUROR: Actually I work at a  
25 hospital right now. Usually I work in marketing,

1 advertising, and PR places.

2 THE COURT: Okay. How many hours a week do  
3 you work?

4 PROSPECTIVE JUROR: It's a 40-hour week,  
5 full-time.

6 THE COURT: Your mother worked for the postal  
7 inspectors?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: How long did she do that for?

10 PROSPECTIVE JUROR: She did that from -- I  
11 think we moved here in '69 and until her death in  
12 '05. She retired from there.

13 THE COURT: And you once worked in the  
14 library of a law firm?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: How long did you do that?

17 PROSPECTIVE JUROR: That was right before --  
18 being an artist, I moved out to California, so it  
19 wasn't -- I don't think it was a whole year.

20 THE COURT: Okay. You have a family member  
21 in the Air Force?

22 PROSPECTIVE JUROR: My father was in the Air  
23 Force and an uncle was in the Air Force.

24 THE COURT: You've never been arrested or  
25 convicted of a crime?

1 PROSPECTIVE JUROR: No.

2 THE COURT: But you've had family members get  
3 arrested or convicted, is that correct?

4 PROSPECTIVE JUROR: Yes.

:41AM

5 THE COURT: And you refer to them as young  
6 idiot cousins?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: And you were the victim of a  
9 crime of a burglary?

:41AM

10 PROSPECTIVE JUROR: Mostly home invasion,  
11 burglary, people taking things; TV's.

12 THE COURT: Were you present for any of  
13 these?

14 PROSPECTIVE JUROR: Pardon?

:41AM

15 THE COURT: Were you present for any of  
16 these?

17 PROSPECTIVE JUROR: No.

18 THE COURT: And no one was ever charged for  
19 that?

:41AM

20 PROSPECTIVE JUROR: No.

21 THE COURT: You had a close friend or family  
22 member who was a victim of a crime?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Serious crime?

:41AM

25 PROSPECTIVE JUROR: She didn't survive.

1 THE COURT: And no one was ever charged with  
2 that?

3 PROSPECTIVE JUROR: No.

4 THE COURT: How long ago did that occur?

:41AM

5 PROSPECTIVE JUROR: That was -- that had to  
6 have been years ago, when I was 20.

7 THE COURT: Would that experience affect your  
8 ability to be fair in this case?

9 PROSPECTIVE JUROR: No.

:42AM

10 THE COURT: And you used the legal process as  
11 leverage to create money owed to you?

12 PROSPECTIVE JUROR: Yes, I did.

13 THE COURT: Did you do that all by yourself  
14 or did you have a lawyer?

:42AM

15 PROSPECTIVE JUROR: No, I had a lawyer.

16 THE COURT: Were you thrilled and surprised  
17 that it worked or did you just disregard it?

:42AM

18 PROSPECTIVE JUROR: Actually, I guess when I  
19 presented the information to the person, she's like,  
20 oh, no, we can definitely at least get a lien placed  
21 on the property. A lien stayed on there for a  
22 number of years until she wanted to refinance. And,  
23 of course, I guess she tried to go through  
24 bankruptcy court, she was working against somebody  
25 from another law firm or something.

:42AM



1 THE COURT: Yeah.

2 PROSPECTIVE JUROR: And he's the one that  
3 alerted the rest of us to the fact that she was  
4 trying to go through bankruptcy court without  
5 alerting anyone, any of the creditors, so it worked  
6 out.

7 THE COURT: And you had a lawyer for probate  
8 issues involving your mother.

9 PROSPECTIVE JUROR: Yeah, in California you  
10 definitely have to have every i and t dotted exactly  
11 the way they want, so you need someone on the ground  
12 there.

13 THE COURT: You say you testified in  
14 bankruptcy court, is that right?

15 PROSPECTIVE JUROR: I'm sorry?

16 THE COURT: It says you --

17 PROSPECTIVE JUROR: Yes, I did, I testified  
18 in bankruptcy court that she had -- it was just that  
19 she had not informed me of anything, any of the  
20 goings on or anything like that.

21 THE COURT: And it says here that you're  
22 still friends with the person you sued.

23 PROSPECTIVE JUROR: Yeah.

24 THE COURT: But you're not engaging in any  
25 money dealings.

1 PROSPECTIVE JUROR: Correct.

2 THE COURT: Okay. You talk about friends or  
3 relatives involved in labor relations stuff. Are  
4 these people who were close to you?

5 PROSPECTIVE JUROR: I have a cousin in Kansas  
6 City that worked at a labor relations law firm in  
7 Kansas City. She left there. She's a judge now,  
8 family law, though.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR: And other labor relations  
11 would just be union relatives.

12 THE COURT: Okay. Do you know what firm she  
13 worked for, by any chance?

14 PROSPECTIVE JUROR: In Kansas City.

15 THE COURT: Okay. And it says here your  
16 aunt's husband once ran for some office in Chicago.

17 PROSPECTIVE JUROR: I don't remember the  
18 office, I just remember being told to keep my nose  
19 clean.

20 THE COURT: Okay. Who told you to keep your  
21 nose clean?

22 PROSPECTIVE JUROR: My aunt.

23 THE COURT: Do you remember the name -- well,  
24 you actually wrote the name of that person down.

25 PROSPECTIVE JUROR: Yeah.

1 THE COURT: Okay. Do you know what happened  
2 to that person?

3 PROSPECTIVE JUROR: He didn't -- he didn't  
4 win, he's -- yeah, I do know, like in the long run  
5 what happened to him, yes.

6 THE COURT: Okay. Was this somebody you were  
7 close with personally?

8 PROSPECTIVE JUROR: Yeah, he was my uncle  
9 since I was -- he married her when I think I was  
10 about 6 years old, maybe.

11 THE COURT: Considering what happened to him  
12 after all this was over, would that affect your  
13 ability to be fair and impartial in this case?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Okay. And you have actually  
16 written to governors?

17 PROSPECTIVE JUROR: Yeah.

18 THE COURT: Two of them, I see.

19 PROSPECTIVE JUROR: Yeah. One was -- I can't  
20 even remember what the issue was, the second was the  
21 park issue here, state parks.

22 THE COURT: Did you get a response?

23 PROSPECTIVE JUROR: I don't think so.

24 THE COURT: Okay. You wrote it to the  
25 defendant in this case.

1 PROSPECTIVE JUROR: At that time, yes.

2 THE COURT: Would this process and what  
3 happened here affect your ability to be fair?

4 PROSPECTIVE JUROR: No; we came up on top,  
5 parks are holding.

6 THE COURT: And you read a lot of books and  
7 listen to a lot of books?

8 PROSPECTIVE JUROR: Uh-huh.

9 THE COURT: You were very careful to add that  
10 where it looked like you might be reading a book you  
11 wanted to make sure we understood that it was  
12 listening to when you were in the car, right?

13 PROSPECTIVE JUROR: Yeah, I don't like  
14 reading so much as I like listening to it. The  
15 chore of reading is different. When you listen to  
16 it, you can go into multitask.

17 THE COURT: Do you listen to much radio?

18 PROSPECTIVE JUROR: In the car, the commute  
19 to and from work.

20 THE COURT: Music, talk radio?

21 PROSPECTIVE JUROR: Talk radio.

22 THE COURT: You listen to WGN a lot?

23 PROSPECTIVE JUROR: The news in the morning  
24 for the weather while I'm getting dressed for work.

25 THE COURT: I take it from your answers, you

1 didn't pay much attention to this trial while it was  
2 going on the first time.

3 PROSPECTIVE JUROR: No.

4 THE COURT: Thank you.

5 (Prospective juror exited the courtroom, and the  
6 following proceedings were had herein:)

7 (Brief pause).

8 (Prospective juror entered the courtroom, and  
9 the following proceedings were had herein:)

10 THE COURT: Hello, 140.

11 PROSPECTIVE JUROR: Good morning.

12 THE COURT: You're a teacher?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: What do you teach?

15 PROSPECTIVE JUROR: I currently teach 3, 4 of  
16 classrooms.

17 THE COURT: You're teaching little kids?

18 PROSPECTIVE JUROR: Correct.

19 THE COURT: What does a learning coach do?

20 PROSPECTIVE JUROR: I was in charge of staff  
21 development and working with other teachers for  
22 3 years.

23 THE COURT: Do you like teaching?

24 PROSPECTIVE JUROR: Love it.

25 THE COURT: Did you like being a learning

: 48AM

: 49AM

: 49AM

: 49AM

: 49AM

1 coach?

2 PROSPECTIVE JUROR: Loved that one, too.

3 THE COURT: Just as much, or less, or both?

4 PROSPECTIVE JUROR: I like to combine both  
5 jobs, but that's not possible.

6 THE COURT: And you have not supervised other  
7 teachers but you have mentored them.

8 PROSPECTIVE JUROR: Correct.

9 THE COURT: Your father still own that  
10 business?

11 PROSPECTIVE JUROR: Pardon me?

12 THE COURT: Does your father still own that  
13 business?

14 PROSPECTIVE JUROR: He's deceased.

15 THE COURT: He's deceased, right.

16 You or somebody close to you was the victim  
17 of a smash and grab?

18 PROSPECTIVE JUROR: My sister.

19 THE COURT: Where was it?

20 PROSPECTIVE JUROR: I don't recall.  
21 Someplace in --

22 THE COURT: Was she injured?

23 PROSPECTIVE JUROR: No.

24 THE COURT: But no one was ever caught for  
25 it?

1 PROSPECTIVE JUROR: No.

2 THE COURT: Never hired a lawyer yourself for  
3 any reason?

4 PROSPECTIVE JUROR: No.

5 THE COURT: Your son, it says here:

6 "Had a disturbing the peace situation and  
7 brought to the local police station, and was  
8 brought to the local police station with his  
9 friends when he was about 14 or 15."

10 PROSPECTIVE JUROR: Correct.

11 THE COURT: Did they call you?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Did you go down to the police  
14 station?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: Did you think of strangling your  
17 child at the time?

18 PROSPECTIVE JUROR: For a short period of  
19 time.

20 THE COURT: For a short period of time. And  
21 what happened?

22 PROSPECTIVE JUROR: He was peer -- he  
23 appeared in front of his peers to get some community  
24 service.

25 THE COURT: Ever get arrested again?

1 PROSPECTIVE JUROR: No.

2 THE COURT: So that worked the first time?

3 PROSPECTIVE JUROR: Yes; he's a good kid.

4 THE COURT: Now you were in a large march  
5 once in support of stricter gun control?

6 PROSPECTIVE JUROR: Correct.

7 THE COURT: Done anything like that again on  
8 any issue?

9 PROSPECTIVE JUROR: No.

10 THE COURT: You've written letters in support  
11 of more teacher-friendly legislation?

12 PROSPECTIVE JUROR: Correct.

13 THE COURT: It says you belong to the  
14 National Education Association, your community  
15 church, Young Life, Compassion International, and  
16 book clubs. How much of your time does that take?

17 PROSPECTIVE JUROR: Maybe 10 to 15 percent.  
18 I'm pretty busy with my job, too.

19 THE COURT: How much does the National  
20 Education Association take or are you just simply a  
21 member?

22 PROSPECTIVE JUROR: I'm just a member because  
23 I'm an educator.

24 THE COURT: And you made telephone calls on  
25 behalf of a congressional candidate for about an



1 hour?

2 PROSPECTIVE JUROR: Correct.

3 THE COURT: And that's because your neighbor  
4 roped you into it?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. And with respect to  
7 questions about do you believe that public officials  
8 do X, Y or Z, your answers appear basically to be  
9 there are some people who are on both sides, some  
10 do, some don't.

11 PROSPECTIVE JUROR: Correct.

12 THE COURT: You understand that in this case  
13 you're going to be asked to decide whether the  
14 government has proved that the defendant here was  
15 one of those who does.

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Do you understand that?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: And they have to prove that  
20 beyond a reasonable doubt, do you understand that,  
21 too?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: What paper do you read?

24 PROSPECTIVE JUROR: Daily Herald.

25 THE COURT: You said you concentrated more on

1 local stories?

2 PROSPECTIVE JUROR: Correct.

3 THE COURT: What do you mean by local  
4 stories?

5 PROSPECTIVE JUROR: Well --

6 THE COURT: In the area you live?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Okay. Watch a lot of television?

9 I know you listed your favorite programs, but do you  
10 spend a lot of time listening to television?

11 PROSPECTIVE JUROR: No.

12 THE COURT: How about the radio?

13 PROSPECTIVE JUROR: In my morning drive.

14 THE COURT: Okay. Music or talk?

15 PROSPECTIVE JUROR: Mixture of both.

16 THE COURT: What?

17 PROSPECTIVE JUROR: A mixture of both.

18 THE COURT: Okay. The teachers retirement  
19 system, you just pay into that?

20 PROSPECTIVE JUROR: Correct.

21 THE COURT: You read the reports they send?

22 PROSPECTIVE JUROR: I try not to.

23 THE COURT: It says here that you've read  
24 headlines about this case and you've avoided details  
25 because you're not interested enough to read deeply

1 into the articles, that's basically what it's been?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Do you understand that whatever  
4 you may have heard or read about this case, what we  
5 ask you to do is to put anything you heard or read  
6 about this case out of your mind or actually out to  
7 the side, and when you weigh the evidence you weigh  
8 only that which you've heard, usually sworn  
9 testimony and some exhibits in the courtroom, do you  
10 understand that?

11 PROSPECTIVE JUROR: Yes, I do.

12 THE COURT: Would you be able to do that?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Thank you.

15 (Prospective juror exited the courtroom, and the  
16 following proceedings were had herein:)

17 (Brief pause).

18 (Prospective juror entered the courtroom, and  
19 the following proceedings were had herein:)

20 THE COURT: Hi. Have a seat.

21 You're 188?

22 PROSPECTIVE JUROR: Yes, I am.

23 THE COURT: I'm just going to go down some of  
24 these, I'm not going to do the whole thing again.

25 What's your current status in your

1 employment?

2 PROSPECTIVE JUROR: I'm supposed to be  
3 starting a new job today. I've been unemployed for  
4 16 months. I have documentation that I'm starting  
5 today, or supposed to start today.

6 THE COURT: And leave that with us. We have  
7 to look at that, the documentation.

8 PROSPECTIVE JUROR: No, problem.

9 THE COURT: Yeah.

10 Basically, you have a degree in accounting  
11 and an M.B.A. and you do a lot of work with  
12 informations systems?

13 PROSPECTIVE JUROR: Yes, I do.

14 THE COURT: who did you work for before?

15 PROSPECTIVE JUROR: The company?

16 THE COURT: Yeah.

17 PROSPECTIVE JUROR: Axle Noble.

18 THE COURT: And how long did you work for  
19 them?

20 PROSPECTIVE JUROR: 13 years.

21 THE COURT: Are they still in business?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: So they did layoffs?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: what percentage of their

1 employees did they layoff?

2 PROSPECTIVE JUROR: I'd probably say 10 to 15  
3 percent.

4 THE COURT: Okay. Now, most of the employees  
5 are skilled employees?

6 PROSPECTIVE JUROR: In the United States,  
7 yes. It's actually a foreign-owned company.

8 THE COURT: Okay. And you yourself  
9 supervise, it says here, 10 people on occasion.

10 PROSPECTIVE JUROR: Yes, I did. I did, yes.

11 THE COURT: And, basically, you do  
12 information systems and the security that goes with  
13 it?

14 PROSPECTIVE JUROR: Information systems,  
15 security, auditing, that's my background.

16 THE COURT: You have one child now 28 years  
17 old?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: You applied for work, it says  
20 here, with the FBI and the DEA, is that true?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: How long ago was that?

23 PROSPECTIVE JUROR: Oh, that was probably  
24 about 25 years ago.

25 THE COURT: And you have a friend or relative

1 who was an FBI agent for many years?

2 PROSPECTIVE JUROR: I have a friend that used  
3 -- that was an FBI agent, yes.

4 THE COURT: It says here also you have a  
5 stepdaughter who is a reporter for NBC Chicago?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Is this somebody who you are  
8 particularly close to?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: You were a victim of a theft at  
11 one time?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Was anybody caught for that.

14 PROSPECTIVE JUROR: No.

15 THE COURT: You also said you were a victim  
16 of discrimination. That was involved in a lawsuit?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And what happened with that  
19 lawsuit?

20 PROSPECTIVE JUROR: We settled out of court.

21 THE COURT: Were you satisfied with the  
22 settlement?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: You don't have to be. You can --

25 PROSPECTIVE JUROR: I was okay with it.

1 THE COURT: Okay. You had a lawyer for that,  
2 right?

3 PROSPECTIVE JUROR: Yes, I did.

4 THE COURT: Do you remember where that case  
5 was tried? What courtroom it was in? Was it in  
6 this building or another building?

7 PROSPECTIVE JUROR: Another building.

8 THE COURT: And you testified yourself in a  
9 fraud case?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: And you testified as an expert  
12 witness?

13 PROSPECTIVE JUROR: Yes, I did.

14 THE COURT: And that had to do with the data  
15 and the systems and the auditing?

16 PROSPECTIVE JUROR: Yes, it did. Well, at  
17 the time I was working more in the financial side,  
18 so it dealt with theft from a money room.

19 THE COURT: Your personal involvement in  
20 politics is limited to events, a couple of events or  
21 more than one event, attended political events,  
22 usually fundraisers?

23 PROSPECTIVE JUROR: Fundraisers I've been  
24 involved with with other party or family members.

25 THE COURT: Your hobbies are what?

1 PROSPECTIVE JUROR: Skiing, golf, biking.

2 THE COURT: When you're out of work, did you  
3 have a lot of time to do that or was it a little  
4 difficult to do that when you're still looking for  
5 work?

6 PROSPECTIVE JUROR: It's a little bit  
7 difficult. Looking for a job is 100-percent  
8 commitment.

9 THE COURT: You said here that a friend of  
10 yours is related to the FBI agent on this case, is  
11 that correct?

12 PROSPECTIVE JUROR: It's actually not so much  
13 a friend, but I had been getting therapy for an  
14 injury and that particular person, their relative  
15 was on this case. So that become a point of  
16 discussion.

17 THE COURT: Do you remember the names?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Thank you.

20 You can give the paper to him.

21 PROSPECTIVE JUROR: Thank you, sir.

22 (Prospective juror exited the courtroom, and the  
23 following proceedings were had herein:)  
24 (Brief pause).

25 THE COURT: We should have 141 next.



1 THE MARSHAL: Yes.

2 (Brief pause).

3 THE COURT: We're actually going to begin  
4 with 141 at 1:00 o'clock.

:05PM

5 So what we're going to do is take a break now  
6 and resume again at 1:00 o'clock.

7 THE MARSHAL: All rise.

8

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:05PM

10 (Luncheon recess taken from 1205 o'clock p.m. to  
11 1:00 o'clock p.m.)

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Government,

vs.

ROD BLAGOJEVICH,

Defendant.

No. 08 CR 888

Chicago, Illinois

April 25, 2011

1:34 o'clock p.m.

VOLUME 2  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE JAMES B. ZAGEL  
AND A JURY

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1 THE CLERK: All rise.

2 (The following proceedings were had in the  
3 presence of the prospective jurors in open  
4 court:)

5 THE COURT: You're here today as prospective  
6 jurors and I'm going to give you a little brief  
7 presentation on why jury service matters, why it's  
8 so important.

9 The first reason it's important, and an often  
10 forgotten reason, is that we fought a revolution so  
11 you could sit here today. The American colonists  
12 went to courts where everything was decided by the  
13 king's judges, there was no jury of one's peers, and  
14 this was in fact one of the reasons for the events  
15 of July 4, 1776. Your presence in this courtroom is  
16 a living symbol of the birth of our nation.

17 Second, no country entrusts as much to juries  
18 as this nation does. The American way with jury  
19 speaks to the world that we trust citizens to decide  
20 important cases, to do justice under law, and juries  
21 selected at random from various voters lists and  
22 other public lists. Jury service demonstrates the  
23 faith of democracy that we are competent to govern  
24 ourselves.

25 Third, faithful performance of jury duty is

1 crucial to the parties in this case. If juries were  
2 a new thing, they weren't a symbol of the American  
3 Revolution, or of our faith in ourselves, it would  
4 still matter a great deal, this is so because the  
5 parties to this case have submitted the decision of  
6 it to you. It is your verdict that will resolve  
7 this case. Your verdict is significant to them, it  
8 matters to them, it is important to them, and they  
9 are entitled to the very best effort you can give as  
10 jurors.

11 I also want to say that in this case in  
12 particular, a criminal case, the jury will have to  
13 decide whether the government has proved its case.  
14 You will not be asked to decide whether you like or  
15 dislike, approve or disapprove of the person accused  
16 here. You'll be asked only to decide whether the  
17 government has proved the charges against the  
18 defendant beyond a reasonable doubt.

19 I believe strongly in the value of your  
20 service today. In a moment, I am going to ask you  
21 to take an oath to tell the truth just as witnesses  
22 do, and then I will ask you some questions.

23 The questions are not asked out of idle  
24 curiosity, nor was the questionnaire you filled out  
25 done out of idle curiosity. What I am trying to do,

1 and what the lawyers are trying to do, and what the  
2 questions and answers will help us to do is to pick  
3 out of those who have been called what might be the  
4 best possible jury to hear this particular case.

5 obviously, not all jurors are equally suited  
6 to all cases. If you're not selected to sit on this  
7 jury, it doesn't mean that you are unfit to serve as  
8 a juror, or even that you're unfit to serve on this  
9 case, it means only that the Court and counsel have  
10 an opinion that other jurors might be better for  
11 this case.

12 You will and, incidentally, be questioned by  
13 me in the order of your numbers. The order of  
14 numbers is random. They came out of a randomized  
15 list made by a computer.

16 One last thing, in simplified terms, very  
17 simplified terms, the indictment in this case  
18 charges one defendant, Rod Blagojevich, with several  
19 counts of committing, as governor of Illinois,  
20 various criminal acts referred to in various ways as  
21 bribery or extortion, attempted conspiracy, using  
22 phones to commit some of these offenses, including  
23 securing campaign contributions in exchange for  
24 certain acts. The defendant has pled not guilty to  
25 each and every charge.

1 Mr. walker, would you administer the oath and  
2 escort the jury.

3 THE CLERK: Will each of the prospective  
4 jurors please stand and raise your right hand.

5 (Prospective jurors sworn.)

6 THE CLERK: Thank you. Please be seated.

7 THE COURT: Mr. walker.

8 THE CLERK: Jurors, please rise again, we're  
9 going to go out the back way. Jurors 111 and 123  
10 out the back hallway, all other prospective jurors  
11 please follow me.

12 (Prospective jurors exited the courtroom, and  
13 the following proceedings were had herein:)  
14 (Brief pause).

15 THE COURT: I'm sure counsel understand that  
16 the first two we are calling were jurors who did not  
17 appear on Thursday.

18 (Brief pause).

19 THE COURT: Are we ready?

20 Anybody missing a purse?

21 (Brief pause).

22 THE COURT: Hi. Have a seat.

23 You're 111?

24 PROSPECTIVE JUROR: Right.

25 THE COURT: Your name for today. It's your

1 name for today.

2 PROSPECTIVE JUROR: (Nodding).

3 THE COURT: You're right-handed?

4 PROSPECTIVE JUROR: Yeah.

:42PM

5 THE COURT: And you have a brace on your  
6 right hand?

7 PROSPECTIVE JUROR: Correct. Broken thumb.

8 THE COURT: And you filled this questionnaire  
9 out with your right hand?

:42PM

10 PROSPECTIVE JUROR: Yup.

11 THE COURT: Now, I understand what happened.  
12 You thought that anxiety would make it  
13 difficult for you to serve?

14 PROSPECTIVE JUROR: Correct.

:43PM

15 THE COURT: How come?

16 PROSPECTIVE JUROR: I run a small business  
17 and trying to keep that up and running with time  
18 away.

:43PM

19 THE COURT: So you would be anxious about the  
20 business?

21 PROSPECTIVE JUROR: Yeah.

22 THE COURT: Not necessarily anxious about the  
23 case?

24 PROSPECTIVE JUROR: Correct.

:43PM

25 THE COURT: Okay. What kind of business is



1 it?

2 PROSPECTIVE JUROR: Advertising.

3 THE COURT: How long have you done that?

4 PROSPECTIVE JUROR: 15 years.

:43PM

5 THE COURT: what kind of advertising?

6 PROSPECTIVE JUROR: Promotional products.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR: Customer logo

9 merchandise.

:43PM

10 THE COURT: Are you employed by a company you  
11 own?

12 PROSPECTIVE JUROR: Correct.

13 THE COURT: And how many employees have you  
14 got?

:43PM

15 PROSPECTIVE JUROR: 10.

16 THE COURT: Is that any bigger or any smaller  
17 than it was a year ago?

18 PROSPECTIVE JUROR: Smaller than it was a  
19 year ago.

:43PM

20 THE COURT: You have a relative or close  
21 friend that is a police officer?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: what department?

:44PM

24 PROSPECTIVE JUROR: He's on the mounted, on  
25 the horse.

1 THE COURT: In the Chicago Police Department?

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: A friend or relative?

4 PROSPECTIVE JUROR: He's once removed  
5 relative.

6 THE COURT: Okay. Somebody you spend a lot  
7 of time with?

8 PROSPECTIVE JUROR: Yeah; on holidays.

9 THE COURT: You were asked if people close to  
10 you have worked in various occupations, in law  
11 enforcement, security, prisons, jails, attorneys of  
12 various kinds, lawyers in law firms, you checked  
13 most of them. In fact, you checked everything but  
14 prison, jail, detention center or probation  
15 services. You want to give me a short, hopefully  
16 short, run-off?

17 PROSPECTIVE JUROR: Mostly lawyers.

18 THE COURT: Mostly lawyers.

19 You're in a lawsuit right now where you've  
20 been sued?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: That's an employee sued you?

23 PROSPECTIVE JUROR: No, we're suing an  
24 employee.

25 THE COURT: what?

1 PROSPECTIVE JUROR: We're the plaintiff.

2 THE COURT: Oh, you're the plaintiff.

3 PROSPECTIVE JUROR: We're suing an employee.

4 THE COURT: Oh, you sued an employee.

:45PM

5 PROSPECTIVE JUROR: Yeah.

6 THE COURT: How long has that case been  
7 pending?

8 PROSPECTIVE JUROR: About 2 years, and we had  
9 recent settlement conversations with the judge.

:46PM

10 THE COURT: Okay. You have a lawyer for that  
11 one?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Is that in state court --

14 PROSPECTIVE JUROR: Ah --

:46PM

15 THE COURT: Do you know what courthouse it  
16 was in?

17 PROSPECTIVE JUROR: It was here.

18 THE COURT: It was here. Okay.

19 It says here that you once testified in a  
20 court hearing, is that true?

:46PM

21 PROSPECTIVE JUROR: I'm not sure about that.

22 THE COURT: Well, the question you asked was,  
23 the question was:

24

:46PM

25

1 "... was there any sort of court hearings in the  
2 case or the cases you described in the  
3 proceedings ..."

4 PROSPECTIVE JUROR: Oh, I was talking about  
5 the current one with the employee.

6 THE COURT: Settlement hearing?

7 PROSPECTIVE JUROR: Yeah, settlement hearing.

8 THE COURT: And you spoke there?

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: And you felt about that  
11 experience, I think your word is "hated it."

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: Okay. You're not alone.

14 Never did any volunteer work, raised funds  
15 for political candidates?

16 PROSPECTIVE JUROR: No.

17 THE COURT: You don't think politicians ought  
18 to be trusted?

19 PROSPECTIVE JUROR: Sure.

20 THE COURT: Like every one of them? All the  
21 way to 100 percent or --

22 PROSPECTIVE JUROR: Probably not 100 percent,  
23 but as a business owner you hear stories that don't  
24 sit well.

25 THE COURT: What are the stories mostly

1 about? You can give me the general one.

2 PROSPECTIVE JUROR: Ah, just related to, ah,  
3 making -- giving contracts to friends and family.

4 THE COURT: Okay. So you think that part of  
5 it has to do with the bid process if you wanted some  
6 state business or some city business, is that it?

7 PROSPECTIVE JUROR: That's a good portion of  
8 it, I would think, yeah.

9 THE COURT: How about taxes, complaints about  
10 taxes?

11 PROSPECTIVE JUROR: I don't have any specific  
12 thoughts related to that.

13 THE COURT: How about regulation?

14 PROSPECTIVE JUROR: I don't know enough about  
15 it to comment.

16 THE COURT: Okay. Hobbies, other interests,  
17 what have you got?

18 PROSPECTIVE JUROR: Playing sports, hiking,  
19 music, comedy.

20 THE COURT: Okay. Also you have golf here. Do  
21 you play golf?

22 PROSPECTIVE JUROR: Yeah. Golf.

23 THE COURT: You play golf now?

24 PROSPECTIVE JUROR: Not with this hand.

25 THE COURT: Right. And how about the music

1 part, is that listening or playing?

2 PROSPECTIVE JUROR: Listening.

3 THE COURT: The most important source of news  
4 for you is the Internet?

5 PROSPECTIVE JUROR: Yeah.

6 THE COURT: You check it every day or not  
7 every day?

8 PROSPECTIVE JUROR: It checks me.

9 THE COURT: It checks you?

10 PROSPECTIVE JUROR: I mean, it's just coming  
11 at you.

12 THE COURT: Right. Okay.

13 Now, you say your brother is the neighbor of  
14 the defendant in this case.

15 PROSPECTIVE JUROR: Correct.

16 THE COURT: How close do they live to each  
17 other?

18 PROSPECTIVE JUROR: About six houses.

19 THE COURT: Now, tell me what happens to your  
20 business if you're on this jury?

21 well, let me put you to you in in realistic  
22 terms. If you're on this jury, you're going to be  
23 tied up probably from 9:30 to 4:00 or 4:30 every  
24 day. When you're not in the courtroom, you'll have  
25 cell phones and computers. We don't sequester

1 anymore. And you'll have Friday, Saturday and  
2 Sunday. So if that's what you have, tell me what  
3 happens to your business?

4 PROSPECTIVE JUROR: Well, I'm responsible for  
5 about half the revenue generating. So I have some  
6 support after that, but I've no idea what that would  
7 mean. I mean, I communicate with 30 clients a day,  
8 which, obviously, I couldn't.

9 THE COURT: Thank you.

10 (Prospective juror exited the courtroom, and the  
11 following proceedings were had herein:)

12 (Brief pause).

13 THE COURT: Hi. You're number 123.

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: That's your name for today.

16 PROSPECTIVE JUROR: Oh --

17 THE COURT: Don't tell me your name.

18 PROSPECTIVE JUROR: Huh?

19 THE COURT: Don't tell me your name.

20 PROSPECTIVE JUROR: Oh, I'm sorry.

21 THE COURT: Because today your name is number  
22 123.

23 PROSPECTIVE JUROR: Oh, okay.

24 THE COURT: What do you do for a living?

25 PROSPECTIVE JUROR: I'm a registered nurse.

1 THE COURT: And you work in a hospital?

2 PROSPECTIVE JUROR: Yes, I do.

3 THE COURT: What kind of stuff? Do you have  
4 a particular specialty that you work in?

5 PROSPECTIVE JUROR: Med search and  
6 pediatrics, adult research.

7 THE COURT: You supervise anybody at work?

8 PROSPECTIVE JUROR: At times I do.

9 THE COURT: And how many?

10 PROSPECTIVE JUROR: Up to 6 people.

11 THE COURT: Are these other nurses, or  
12 technicians, or what?

13 PROSPECTIVE JUROR: Nurses, technicians.

14 THE COURT: And how long have you been a  
15 nurse?

16 PROSPECTIVE JUROR: 27 years.

17 THE COURT: Always with the same hospital?

18 PROSPECTIVE JUROR: Within the same system.

19 THE COURT: Oh, okay.

20 You indicate that while you have never been  
21 arrested or convicted of a crime, you have -- is it  
22 a cousin in jail?

23 PROSPECTIVE JUROR: Yes, I have.

24 THE COURT: How long has he been there?

25 PROSPECTIVE JUROR: He's been there a long



1 time.

2 THE COURT: why don't you move the microphone  
3 up a little.

4 PROSPECTIVE JUROR: He's been in jail for  
5 quite a while.

6 THE COURT: And he's been convicted of  
7 something, is that correct?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Is this somebody who is  
10 particularly close to you?

11 PROSPECTIVE JUROR: Ah ....

12 THE COURT: This cousin?

13 PROSPECTIVE JUROR: First cousin.

14 THE COURT: But it was somebody you saw every  
15 day or rarely saw?

16 PROSPECTIVE JUROR: No. Growing up, yeah, I  
17 seen him, but as he we became adults, no.

18 THE COURT: And you indicate that your father  
19 was the victim of an attempted murder, is that  
20 correct?

21 PROSPECTIVE JUROR: That's correct.

22 THE COURT: And somebody was caught for that?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: And sent to prison?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: Are you a member of anything? Do  
2 you belong to anything at all?

3 PROSPECTIVE JUROR: Nursing organization.

4 THE COURT: The union?

5 PROSPECTIVE JUROR: The union, yes.

6 THE COURT: Are you just a member or have you  
7 held office in that union?

8 PROSPECTIVE JUROR: No, I'm just a member.

9 THE COURT: And your hobbies, things you like  
10 to do?

11 PROSPECTIVE JUROR: Dancing, watch TV at  
12 times. I have quite a few hobbies.

13 THE COURT: What paper do you read --

14 PROSPECTIVE JUROR: Sun-Times.

15 THE COURT: If you read one?

16 Sun-Times?

17 PROSPECTIVE JUROR: Yeah.

18 THE COURT: There's one thing I don't  
19 understand. You asked to be deferred from this  
20 service, presumably to serve at another time, but I  
21 didn't understand what effect that has on your job.  
22 I didn't understand what "displacement" means in  
23 this context.

24 PROSPECTIVE JUROR: Well, do you want me to  
25 talk about the job?

1 THE COURT: Yeah.

2 PROSPECTIVE JUROR: Okay. I work for the  
3 County and right now we're going through a process  
4 of where the nurses are being displaced. The  
5 hospital I particularly work at is closing down,  
6 we're being displaced. So I'm getting ready to go  
7 to a new job and I have to be trained for that job,  
8 that's what I meant.

9 THE COURT: And how long is that period, that  
10 orientation?

11 PROSPECTIVE JUROR: It's hard to say. It  
12 might be a month. They said four to six weeks.

13 THE COURT: Okay. Thank you.

14 THE COURT: Okay.

15 (Prospective juror exited the courtroom, and the  
16 following proceedings were had herein:)

17 (Brief pause).

18 (Prospective juror entered the courtroom, and  
19 the following proceedings were had herein:)

20 THE COURT: You are 143?

21 PROSPECTIVE JUROR: 141, sir.

22 THE COURT: You're 141. Let me find you.

23 (Brief pause).

24 THE COURT: I think 141 is back in chambers,  
25 but we can start, anyway.

1           what do you do for a living?

2           PROSPECTIVE JUROR: I'm a registered  
3 polysomic graphic technologist. I do sleep disorder  
4 studies.

5           THE COURT: How long have you been doing  
6 that?

7           PROSPECTIVE JUROR: 20 years.

8           THE COURT: Is that a hospital-based kind of  
9 practice?

10          PROSPECTIVE JUROR: It is. We have clinics  
11 in hotels, as well.

12          THE COURT: What sort of testing do you do?

13          PROSPECTIVE JUROR: We monitor brain wave  
14 activity, muscle tone and tension, heartbeat,  
15 respiratory effort and flow, and oxygen saturation  
16 during a person's sleep so that we know if they're  
17 having disorders such as disruptive sleep apnea.

18          THE COURT: This is the kind of thing you  
19 occasionally see on television where they're  
20 photographing somebody sleeping and there are all  
21 kinds of stuff attached to him or her?

22          PROSPECTIVE JUROR: Right; we can monitor for  
23 abnormal movement behavior and nightmares and  
24 things.

25          THE COURT: How long do they have to sleep to

1 get a good reading?

2 PROSPECTIVE JUROR: Minumum is 5 hours of  
3 sleep. We try to keep them to their normal sleep  
4 time.

5 THE COURT: You like that work?

6 PROSPECTIVE JUROR: It's fine, yeah.

7 THE COURT: And you've done that, at least  
8 from what I can see, at two separate hospitals, is  
9 that correct?

10 PROSPECTIVE JUROR: In the last 10 years. I  
11 have been out to California and back to Michigan,  
12 and such.

13 THE COURT: And your educational background  
14 has basically been in science, is that correct?

15 PROSPECTIVE JUROR: Right; University of  
16 Michigan.

17 THE COURT: And along the way you picked up  
18 the tax preparation skill set?

19 PROSPECTIVE JUROR: Yes, I started getting  
20 creative with my own finances, doing stocks and  
21 options, so I wanted to make sure I got my taxes  
22 done right, so I did the H & R Block courses and now  
23 I do everyones.

24 THE COURT: Your home was burglarized?

25 PROSPECTIVE JUROR: Yes, they reached in

1 through a window while I was in another room.

2 THE COURT: Stuff was taken?

3 PROSPECTIVE JUROR: Yes, I found iPad and  
4 iPod.

5 THE COURT: Did you know it was happening  
6 when you were in the house?

7 PROSPECTIVE JUROR: No, I didn't know until  
8 the actual perpetrator invaded the home next door to  
9 mine and they called the police, and when they  
10 arrived they checked and my window was open and they  
11 asked me to check.

12 THE COURT: Did they catch the person who did  
13 that?

14 PROSPECTIVE JUROR: Not to my knowledge.

15 THE COURT: You listed some working with  
16 attorneys and that's attorneys in Michigan.

17 PROSPECTIVE JUROR: My brother and my  
18 sister-in-law, they're married, they're both  
19 attorneys.

20 THE COURT: You hired an attorney for the  
21 purchase of condo?

22 PROSPECTIVE JUROR: Yes, through my brother's  
23 practice, yeah.

24 THE COURT: Ever been to a court hearing for  
25 any reason?

1 PROSPECTIVE JUROR: Not to a court hearing,  
2 no.

3 THE COURT: And when you answered the  
4 question "how many attorneys, if any, have you known  
5 fairly well," you put two, and those are your  
6 relatives?

7 PROSPECTIVE JUROR: Correct.

8 THE COURT: You sought elected public office  
9 yourself?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Some time ago?

12 PROSPECTIVE JUROR: Late '80s, I believe,  
13 yeah.

14 THE COURT: Was that a very large town, a  
15 very small town, or a medium size town?

16 PROSPECTIVE JUROR: It was a very small  
17 suburb on the northwest side of Detroit.

18 THE COURT: Okay. And how did you do?

19 PROSPECTIVE JUROR: I came in third out of  
20 three, I believe.

21 THE COURT: And your brother ran for office  
22 in the township, how did he do?

23 PROSPECTIVE JUROR: He came in second out of  
24 two.

25 THE COURT: You have written to senators and

1 congressmen about creation of a national center for  
2 sleep disorders and for research under the National  
3 Institute of Health Act, is that right?

4 PROSPECTIVE JUROR: That's right.

:05PM

5 THE COURT: You write that often or you just  
6 wrote one letter?

:05PM

7 PROSPECTIVE JUROR: It was one letter, pretty  
8 much a form letter, but I also visited their office  
9 and talked to a staff member and each of senators  
10 and the representative for my district.

11 THE COURT: What organizations, other than,  
12 of course, whatever professional organization you  
13 are in yourself, what other organizations do you  
14 belong to?

:05PM

15 PROSPECTIVE JUROR: Belong?

16 THE COURT: Or participate in or give money  
17 to.

:05PM

18 PROSPECTIVE JUROR: I'm life-long member of  
19 alpha phi omega and National Service Fraternity,  
20 started a chapter at the University of Michigan,  
21 American Red Cross, American Heart Association, and  
22 then professional organizations.

:06PM

23 THE COURT: Other than your own run for  
24 office, I take it you haven't participated in any  
25 way in political campaigns?



1 PROSPECTIVE JUROR: Not in campaigns, no.

2 THE COURT: When asked do you have an opinion  
3 about political fundraising, you said "not  
4 particularly."

:06PM

5 PROSPECTIVE JUROR: Not particularly.

6 THE COURT: Does that mean like you really  
7 don't have an articulated position?

8 PROSPECTIVE JUROR: Right; as long as it's  
9 done within the legal framework.

:06PM

10 THE COURT: Okay. Your hobbies?

11 PROSPECTIVE JUROR: The computer, web  
12 surfing, reading, I play the violin, and I crochet.

13 THE COURT: Where do you get your news from?

:06PM

14 PROSPECTIVE JUROR: Mostly the national news,  
15 PBS News Hour, sometimes NPR will be on in the car,  
16 but I rarely drive.

:07PM

17 THE COURT: Okay. Are you personally deeply  
18 involved in the news, in following the news, or is  
19 it just when you have time you turn on a television  
20 or radio?

:07PM

21 PROSPECTIVE JUROR: When I have time, and I  
22 am mostly concentrating on international issues and  
23 science.

24 THE COURT: You are not a great follower of  
25 the subject matter of this case, is that correct?

1 PROSPECTIVE JUROR: No.

2 THE COURT: And you have an out of town  
3 speaking engagement in June which could be changed  
4 but you don't want to do it the night before the  
5 speech.

6 PROSPECTIVE JUROR: Yeah.

7 THE COURT: It may be even --

8 PROSPECTIVE JUROR: It's in Minneapolis, the  
9 meeting lasts a week, and I have all but made  
10 arrangements to put that -- to cancel that.

11 THE COURT: We can, basically, tell you.

12 PROSPECTIVE JUROR: Okay.

13 THE COURT: If you're on the jury, we can  
14 tell you, and we can tell you right away, pretty  
15 much.

16 PROSPECTIVE JUROR: Okay.

17 THE COURT: Did you actually work for H & R  
18 Block?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: For how long?

21 PROSPECTIVE JUROR: This last past season and  
22 two seasons before.

23 THE COURT: How long does that take you? How  
24 many months do you work when you do that?

25 PROSPECTIVE JUROR: You have orientation to

1 new tax law in December and then January, February,  
2 March, April, half of April.

3 THE COURT: Okay. Thank you.

4 (Prospective juror exited the courtroom, and the  
5 following proceedings were had herein:)

6 (Brief pause).

7 (Prospective juror entered the courtroom, and  
8 the following proceedings were had herein:)

9 THE COURT: Hi. You're number 142.

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: At least for today.

12 What do you do at work?

13 PROSPECTIVE JUROR: I do sterilization for  
14 our dental office, dental work.

15 THE COURT: You want to put up the mike a  
16 little closer.

17 Go ahead, tell me again.

18 PROSPECTIVE JUROR: I do sterilization and  
19 lab work for the dental office.

20 THE COURT: How long have you done that kind  
21 of work?

22 PROSPECTIVE JUROR: 9 years.

23 THE COURT: What did you do before then?

24 PROSPECTIVE JUROR: I was at home with the  
25 children.

1 THE COURT: The practice that you work in is  
2 owned by your brother?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: The person who was a member of  
5 the LaSalle County Board, is this a close friend of  
6 yours?

7 PROSPECTIVE JUROR: She's my sister-in-law.

8 THE COURT: Did you actually work in her  
9 campaign?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Did she win by a big margin or  
12 small margin?

13 PROSPECTIVE JUROR: Ah, it was an upset by a  
14 big margin.

15 THE COURT: It was an upset?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Did you help her in any way?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Your hobbies, your interests?

20 PROSPECTIVE JUROR: Reading, running,  
21 traveling.

22 THE COURT: Which comes first, reading,  
23 running or traveling?

24 PROSPECTIVE JUROR: Reading.

25 THE COURT: Do you watch a lot of television?

1 PROSPECTIVE JUROR: No, I don't.

2 THE COURT: Watch the news closely?

3 PROSPECTIVE JUROR: Not very much.

4 THE COURT: When you get your news, where do  
5 you mainly get it from?

6 PROSPECTIVE JUROR: Either in the newspaper,  
7 sometimes headlines on the TV, but --

8 THE COURT: How about the Internet, do you  
9 use that at all for news?

10 PROSPECTIVE JUROR: I do for e-mail.

11 THE COURT: Okay. I take it from what you've  
12 written here you haven't paid much attention to this  
13 case in the past, is that true?

14 PROSPECTIVE JUROR: That's true.

15 THE COURT: Ever been called for jury  
16 service?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: How many times?

19 PROSPECTIVE JUROR: Ah, every 3 years  
20 probably from the past --

21 THE COURT: And this is in the county for  
22 which you live?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Okay. Thank you.

25 (Prospective juror exited the courtroom, and the

1 following proceedings were had herein:)

2 (Brief pause).

3 (Prospective juror entered the courtroom, and  
4 the following proceedings were had herein:)

:14PM

5 THE COURT: You're number 143?

6 PROSPECTIVE JUROR: Yes, I am.

7 THE COURT: Okay. How large a practice is  
8 the firm that you work for?

:14PM

9 PROSPECTIVE JUROR: Two people. Myself and  
10 Dr. Burgen.

11 THE COURT: And what's the patient count?

12 PROSPECTIVE JUROR: I see between about 30  
13 people, she also sees close to that number.

:14PM

14 THE COURT: When you say you see them, do you  
15 see some more often than others?

16 PROSPECTIVE JUROR: Yes, that's true.

17 THE COURT: I ask that question because you  
18 did indicate in your request for deferral that there  
19 could possibly be disastrous consequences.

:15PM

20 PROSPECTIVE JUROR: Yes. I have a letter  
21 from that practice and my partner.

22 THE COURT: Okay. Can you estimate how many  
23 of your patients have suicidal ideations?

24 PROSPECTIVE JUROR: Right now two, two women.

:15PM

25 THE COURT: And how do you acquire these

1 patients? Are these referrals?

2 PROSPECTIVE JUROR: Yes; referrals from other  
3 colleagues, referrals from provider lists. I belong  
4 to several provider lists.

:15PM

5 THE COURT: Right.

6 PROSPECTIVE JUROR: For insurance companies  
7 as well; referrals from former patients.

8 THE COURT: Do you have a particular theory  
9 of psychotherapy that you follow?

:16PM

10 PROSPECTIVE JUROR: Eclectic with a heavy  
11 dose of inside-oriented therapy, but I use what  
12 works, as best I can.

13 THE COURT: Okay. Something was stolen from  
14 your home?

:16PM

15 PROSPECTIVE JUROR: Yes, many years ago,  
16 we've had a couple of times, but it's been quite a  
17 long time ago that a burglar came in stole my wife's  
18 jewelry, money that my children were saving. He was  
19 not caught.

:16PM

20 THE COURT: And the incident with your mother  
21 being mugged, is that in the relatively distant past  
22 or is that recent?

:16PM

23 PROSPECTIVE JUROR: That's also quite  
24 distant. And the mugger was very sorry that he did  
25 that.

1 THE COURT: And you've seen lawyers for  
2 estate planing, wills, and real estate?

3 PROSPECTIVE JUROR: Yes, as well as my  
4 practice, of course.

5 THE COURT: Right. And as patients or --

6 PROSPECTIVE JUROR: Patients.

7 THE COURT: Okay. In the practice, do you  
8 have occasion to consult with lawyers on various  
9 issues or not?

10 PROSPECTIVE JUROR: I've not yet had to do  
11 that.

12 THE COURT: Okay. And you have never been  
13 asked to testify in court as an expert witness?

14 PROSPECTIVE JUROR: No. No.

15 THE COURT: And your political involvement  
16 has basically been writing letters to  
17 representatives about mental health and insurance  
18 issues?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Did you get a good response or no  
21 response?

22 PROSPECTIVE JUROR: Some have been responded  
23 to, there have been answers offered, and I feel that  
24 some congressmen, senators, and so on, have been  
25 responsive.



1 THE COURT: You have the view that three  
2 professionally related associations, are you  
3 particularly active in any one of them?

4 PROSPECTIVE JUROR: I used to be in the  
5 American -- I'm sorry, the Illinois Art Therapy  
6 Association, I served as past president of that many  
7 years ago.

8 THE COURT: And the other ones you belong  
9 simply --

10 PROSPECTIVE JUROR: I belong as a member, I  
11 don't do further work with them.

12 THE COURT: And your only political  
13 contributions you have ever made have been to the  
14 campaigns for President of the United States, is  
15 that true?

16 PROSPECTIVE JUROR: I was wondering about  
17 that. I can't recall others, I think there might  
18 have been some, but I remember those.

19 THE COURT: Okay.

20 And your own hobbies?

21 PROSPECTIVE JUROR: I'm a painter.

22 THE COURT: Painter as an art as opposed to  
23 walls?

24 PROSPECTIVE JUROR: Yes. I have a degree --  
25 well, that's correct, not a house painter but a

1 painter, oil paints at this time, yeah. I have --  
2 before I was a psychologist I was an art therapist  
3 and a fine art painter.

4 THE COURT: Do you pay a lot of attention to  
5 the news? Are you a news junkie?

6 PROSPECTIVE JUROR: A lot, yes.

7 THE COURT: Do you use the Internet at all?

8 PROSPECTIVE JUROR: A little bit, mostly  
9 newspapers and the video media, TV, so forth, radio.

10 THE COURT: Thank you.

11 (Prospective juror exited the courtroom, and the  
12 following proceedings were had herein:)

13 (Brief pause).

14 (Prospective juror entered the courtroom, and  
15 the following proceedings were had herein:)

16 THE COURT: Hello, 144.

17 PROSPECTIVE JUROR: Hello.

18 THE COURT: What do you do at work?

19 PROSPECTIVE JUROR: I'm sorry?

20 THE COURT: What do you do at work?

21 PROSPECTIVE JUROR: I'm a database  
22 administrator.

23 THE COURT: Now, what do you actually do when  
24 you're a database administrator?

25 PROSPECTIVE JUROR: I'm responsible for the

1 company's data that's stored on computers. So I'm  
2 responsible for the security of the data, the  
3 performance of the systems for people who access the  
4 data, and the quality of the data.

:21PM

5 THE COURT: Right. Do you have to run tests  
6 and audits to do that?

:21PM

7 PROSPECTIVE JUROR: I work with the people  
8 who would run an audit to make sure it ran  
9 correctly. I'm responsible for things like the  
10 encryption of the data and making sure people can't  
11 get access to it.

12 THE COURT: You also said you manage large  
13 amounts of data?

:21PM

14 PROSPECTIVE JUROR: Yeah, my specialty is  
15 large systems that span multiple computers.

16 THE COURT: Are we talking terabytes here?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: Okay. What's the program?

:22PM

19 PROSPECTIVE JUROR: Oh, it's a program for  
20 parents and children, it's Indian Guides and Indian  
21 Princess normally associated with the YMCA.

22 THE COURT: Is this the one where the fathers  
23 and daughters come together and they wear feathers  
24 and stuff?

:22PM

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: And you are a competent computer  
2 in more than one language?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: You had a sister who was  
5 convicted of a criminal offense, is that right?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: And you name one of them and you  
8 say a few other charges?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Is this one incident or has there  
11 been several incidents over the years?

12 PROSPECTIVE JUROR: She was a heroin addict  
13 and she was involved in some activity that goes  
14 along with that. I don't remember all the charges  
15 against her, but they're related to things like  
16 stealing, I thought about it later, maybe forgery  
17 might have been one of them. I don't remember all  
18 the details, but she was sentenced to 7 years.

19 THE COURT: Now, did you see your sister a  
20 lot during that period of time?

21 PROSPECTIVE JUROR: A lot? No.

22 THE COURT: Have you seen your sister since  
23 then?

24 PROSPECTIVE JUROR: No. And she's passed.

25 THE COURT: Did you think that the legal

1 system treated her fairly?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: You said a family member or close  
4 friend has been a victim of a crime and the crime is  
5 theft. How long ago was that and who was the  
6 victim?

7 PROSPECTIVE JUROR: It was a family member  
8 related to my sister.

9 THE COURT: And is that the case, you said  
10 someone was in fact charged with a crime.

11 PROSPECTIVE JUROR: That was my sister.

12 THE COURT: Okay. Only reason you hired an  
13 attorney is to do real estate?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: And you spend some time with the  
16 church and other charities, is that correct?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And your contact with congressmen  
19 is you call them when you want a tour of a  
20 government place in Washington, D.C., right?

21 PROSPECTIVE JUROR: Correct.

22 THE COURT: You donated money to the  
23 Republican party?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: A lot, a little, something in the

1 middle?

2 PROSPECTIVE JUROR: A little.

3 THE COURT: How often?

4 PROSPECTIVE JUROR: It was one period in the  
5 2000 election.

6 THE COURT: Okay. Still play the drums?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: What kind of drums?

9 PROSPECTIVE JUROR: I'm a rock drummer.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR: Rock music, yeah. Blink  
12 clubs, at the church.

13 THE COURT: And you've been doing this since  
14 you were a boy?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: Okay. And what does your drum  
17 kick consist of?

18 PROSPECTIVE JUROR: It's a pro drum kit, it's  
19 six-piece maple kit with a Paiste cymbals and a few  
20 microphones.

21 THE COURT: And how about the bike riding?

22 PROSPECTIVE JUROR: Something I do for  
23 exercise and recreation, like to ride on the Prairie  
24 path and around the neighborhood.

25 THE COURT: You indicate that you use Google

1 news to search for specific topics. Do you do a lot  
2 of that?

3 PROSPECTIVE JUROR: Not a lot. I don't  
4 follow the news all that much, but when I hear about  
5 something from conversation that was interesting, if  
6 I want to research it, that's how I would go find  
7 out about it.

8 THE COURT: And you didn't pay much attention  
9 to this case the first time around?

10 PROSPECTIVE JUROR: Didn't pay much  
11 attention, no. I recall a little but --

12 THE COURT: Yeah, you do recall like the  
13 results and a bunch of other things.

14 PROSPECTIVE JUROR: Yeah.

15 THE COURT: Okay. Anything about that affect  
16 your ability to be fair in this case?

17 PROSPECTIVE JUROR: No.

18 THE COURT: Thank you.

19 (Prospective juror exited the courtroom, and the  
20 following proceedings were had herein:)

21 (Brief pause).

22 (Prospective juror entered the courtroom, and  
23 the following proceedings were had herein:)

24 THE COURT: Hi. You're number 145?

25 PROSPECTIVE JUROR: Yes, I am.

1 THE COURT: What do you do at work?

2 PROSPECTIVE JUROR: I work for a dental  
3 office. I'm a treatment coordinator.

4 THE COURT: What does that mean?

:28PM

5 PROSPECTIVE JUROR: That means I help people  
6 with financial plans and appointments.

7 THE COURT: Would you do me a favor and raise  
8 the microphone.

:28PM

9 PROSPECTIVE JUROR: Okay. I make appointments  
10 for people, I work on treatment planning for people  
11 who need procedures done, work with insurance.

12 THE COURT: How long have you done that work?

:28PM

13 PROSPECTIVE JUROR: Since I've been -- well,  
14 at this specific job, I've been here for just  
15 3 years, and probably done dental since I've been  
16 18.

17 THE COURT: So it's the same kind of work  
18 you've done?

19 PROSPECTIVE JUROR: Yeah. Uh-huh.

:28PM

20 THE COURT: Okay.

21 PROSPECTIVE JUROR: I mean, I was an at-home  
22 mom for many years, so ....

23 THE COURT: You have four children?

24 PROSPECTIVE JUROR: Yes, I do.

:28PM

25 THE COURT: The youngest is 22?



1 PROSPECTIVE JUROR: Uh-huh.

2 THE COURT: You have a close friend or  
3 relative who works with the FBI in forensics?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Friend or relative?

6 PROSPECTIVE JUROR: My nephew.

7 THE COURT: Your nephew.

8 Does he discuss his work with you?

9 PROSPECTIVE JUROR: No.

10 THE COURT: Your former husband was a long  
11 time police officer and still works in the security  
12 field?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Your husband had some kind of  
15 incident with a lawsuit, is that correct?

16 PROSPECTIVE JUROR: Correct.

17 THE COURT: Did you follow that lawsuit at  
18 all?

19 PROSPECTIVE JUROR: Ah ...

20 THE COURT: Ever go to court, look at things?

21 PROSPECTIVE JUROR: I did, yes.

22 THE COURT: Okay. Were either he or you  
23 satisfied by the outcome?

24 PROSPECTIVE JUROR: No.

25 THE COURT: And you have used a lawyer for

1 wills and things of that sort?

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: And you testified in court  
4 yourself?

5 PROSPECTIVE JUROR: Briefly, yes.

6 THE COURT: And that was that case you talked  
7 about before, the accident case?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And you said you were very  
10 nervous?

11 PROSPECTIVE JUROR: (Nodding.) I'm very  
12 nervous now.

13 THE COURT: Well, I have to tell you that  
14 almost everybody is when they're sitting where  
15 you're sitting.

16 PROSPECTIVE JUROR: Okay.

17 THE COURT: You served on a jury?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: In Kane County?

20 PROSPECTIVE JUROR: Yes. Uh-huh.

21 THE COURT: And did the jury reach a verdict?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And you didn't like that service  
24 too much, is that right?

25 PROSPECTIVE JUROR: I just -- I don't, but --

1 THE COURT: You want to tell me why?

2 PROSPECTIVE JUROR: You know what? I'm  
3 just -- I'm a little claustrophobic, so sometimes  
4 being in areas when I'm really confined can just  
5 consume me and so I just wanted to leave.

6 THE COURT: Okay. And that's what,  
7 basically, got to you about the jury service?

8 PROSPECTIVE JUROR: Well, you know, it-- no,  
9 it was maybe -- maybe the confinement. Yeah,  
10 probably that.

11 THE COURT: Have you ever been called for  
12 jury service again?

13 PROSPECTIVE JUROR: Was I?

14 THE COURT: Yeah; ever.

15 PROSPECTIVE JUROR: I might have been called  
16 one more time, but I couldn't do it due to illness.

17 THE COURT: And the only kind of fundraising  
18 work and volunteer work you've done was for  
19 fundraisers for the Fraternal Order of Police, is  
20 that right? Or was it something else?

21 PROSPECTIVE JUROR: Well, you know, things  
22 for school, for my children, I think more  
23 fundraising for parent teacher organization.

24 THE COURT: Read a lot of news?

25 PROSPECTIVE JUROR: Do I?

1 THE COURT: Yeah.

2 PROSPECTIVE JUROR: Yeah. Uh-huh.

3 THE COURT: Use the Internet at all?

4 PROSPECTIVE JUROR: Uh-huh. Every day.

:32PM

5 THE COURT: How old was your brother when he  
6 was at Children's Memorial?

7 PROSPECTIVE JUROR: He was 5.

8 THE COURT: And how old were you then?

9 PROSPECTIVE JUROR: I was 19.

:32PM

10 THE COURT: What's happening with your house  
11 now?

12 PROSPECTIVE JUROR: I'm a single mom and I  
13 have my home up for sale because it's just  
14 financially a burden for me being a single mom. So  
15 I put it up for sale. And with the market going the  
16 way it is, it's just extremely difficult. And with  
17 my work, which I brought an employee handbook, I'm  
18 not allowed pay for jury duty. I'm allowed leave,  
19 but I'm not allowed pay. So already, just the two  
20 days of not working, I'm stressing about that  
21 because just to make the bills for my house payment  
22 and my monthly expenses, I fear I would lose my  
23 home.

:33PM

:33PM

24 THE COURT: Do any of your children live at  
25 home?

:34PM

1 PROSPECTIVE JUROR: I have a son who cannot  
2 find a job who lives at home.

3 THE COURT: That's the 22-year old?

4 PROSPECTIVE JUROR: No, he's 31 and he's a  
5 diabetic.

6 THE COURT: And where is the 22?

7 PROSPECTIVE JUROR: The 22 kind of bounces in  
8 between his dad and my household.

9 THE COURT: Thank you.

10 PROSPECTIVE JUROR: Thank you.

11 (Prospective juror exited the courtroom, and the  
12 following proceedings were had herein:)

13 (Brief pause).

14 (Prospective juror entered the courtroom, and  
15 the following proceedings were had herein:)

16 THE COURT: Hi.

17 PROSPECTIVE JUROR: Hi.

18 THE COURT: For today, at least, you're  
19 number 146.

20 PROSPECTIVE JUROR: Yes, sir.

21 THE COURT: I take it from looking at the  
22 major that you elected when you were in college,  
23 that you've made early choices about careers in  
24 music, is that correct?

25 PROSPECTIVE JUROR: That is correct.

:34PM

:34PM

:35PM

1 THE COURT: That started when you were little  
2 or did it start a little later?

3 PROSPECTIVE JUROR: Probably junior high.

4 THE COURT: Okay. And you play piano and  
5 organ?

6 PROSPECTIVE JUROR: Yes, but I'm a vocalist.

7 THE COURT: Okay, and you're a vocalist.  
8 Your standard church organ?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: As opposed to, say, the  
11 Hammond B 3?

12 PROSPECTIVE JUROR: Oh, that, too.

13 THE COURT: And you are currently at a  
14 church. You are director of liturgy and music, or  
15 at least that's what you were.

16 PROSPECTIVE JUROR: I just retired, yeah.

17 THE COURT: You just retired.  
18 And how long were you there?

19 PROSPECTIVE JUROR: 12 and a half years  
20 there.

21 THE COURT: Okay. Did you work at other  
22 parishes during that period of time or did you do  
23 different work?

24 PROSPECTIVE JUROR: Around the area, too.

25 THE COURT: And the last parish was 3700

1 families?

2 PROSPECTIVE JUROR: Uh-huh.

3 THE COURT: Big parish.

4 PROSPECTIVE JUROR: Big parish.

5 THE COURT: When you said you supervised  
6 people, 600 plus, are you talking about a chorus or  
7 are you talking about something else?

8 PROSPECTIVE JUROR: Well, at liturgy you  
9 would do everything with worship, so I had anything  
10 to do with worship and music.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: So the highest was 600.

13 THE COURT: It says also that you're a member  
14 of central music staff of the Archdiocese of  
15 Chicago.

16 PROSPECTIVE JUROR: Correct.

17 THE COURT: How long did that happen?

18 PROSPECTIVE JUROR: That's still going on.

19 THE COURT: And how big is that central music  
20 staff?

21 PROSPECTIVE JUROR: 13 people.

22 THE COURT: You have two children, the  
23 youngest is 25?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: What are you going to do now that

1 you are retired?

2 THE COURT: You have a nephew who works in  
3 the penitentiary?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: And a couple of friends who are  
6 lawyers that do estates and copyrights, is that  
7 right?

8 PROSPECTIVE JUROR: That's correct.

9 THE COURT: And your brother was a Navy  
10 fighter pilot, is that correct?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Tell me about the robbery at your  
13 apartment.

14 PROSPECTIVE JUROR: It was -- it was while I  
15 was in college and four apartments were broken into,  
16 the doors were basically broken down, and they got  
17 just a few things out of the apartments.

18 THE COURT: Was anybody there when this  
19 happened?

20 PROSPECTIVE JUROR: No.

21 THE COURT: Okay. You use a lawyer for your  
22 father's estate and that's about it?

23 PROSPECTIVE JUROR: That's pretty much it,  
24 yeah.

25 THE COURT: And you have a friend that



1 applied to the FBI and used you as a reference?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: How long ago was that?

4 PROSPECTIVE JUROR: Last year.

5 THE COURT: And you served on a jury as an  
6 alternate?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: That means you didn't sit at the  
9 end of the case?

10 PROSPECTIVE JUROR: No, just through -- I sat  
11 through the case.

12 THE COURT: Right.

13 PROSPECTIVE JUROR: Uh-huh.

14 THE COURT: Your only political action that I  
15 can see, at least at the upper level of government  
16 was, you sent communications to legislatures  
17 opposing the death penalty, is that right?

18 PROSPECTIVE JUROR: That's correct.

19 THE COURT: And that's about all?

20 PROSPECTIVE JUROR: That's correct.

21 THE COURT: Never contributed money,  
22 volunteered for any political campaign?

23 PROSPECTIVE JUROR: No.

24 THE COURT: Anything about what your husband  
25 does with respect to transportation that would

1 affect your ability to be fair in this case?

2 PROSPECTIVE JUROR: No, not at all.

3 THE COURT: When you answered a couple of  
4 questions about your attitudes about public  
5 officials you said two separate things. You  
6 expressed the view that since public officials are  
7 human, some may consider their own interests and  
8 you'd hope that they would place their duties of  
9 office first, that's one thing you said.

10 PROSPECTIVE JUROR: Uh-huh.

11 THE COURT: Second thing you said is:  
12 "There is some officials who are pressured to  
13 make decisions, but I believe that most offices  
14 try hard not to let contributions guide their  
15 decisions."

16 And that is your general belief?

17 PROSPECTIVE JUROR: That is my general  
18 belief, yes.

19 THE COURT: What you are going to be asked  
20 here to decide in this case has nothing to do with  
21 general belief, it has to do with one specific  
22 person and whether the government has proved its  
23 charges beyond a reasonable doubt.

24 I just want to know that none of your general  
25 view about politicians being mostly honest, or

1 mostly dishonest, or whatever it is, is not going to  
2 influence your decision, you're only going to be  
3 deciding this case on the basis of the evidence that  
4 the government will present and maybe others will  
5 present as to what this defendant did or did not do.

6 PROSPECTIVE JUROR: That's correct. I would  
7 have no problem with that.

8 THE COURT: Okay. And you're acquaintance  
9 with this case is basically headlines?

10 PROSPECTIVE JUROR: Pretty much so, yes.

11 THE COURT: Do you go out of your way to  
12 watch a lot of news, to read papers, to see stuff on  
13 the Internet?

14 PROSPECTIVE JUROR: Not on the Internet. I  
15 read newspapers.

16 THE COURT: Thank you.

17 PROSPECTIVE JUROR: Thank you very much.

18 (Prospective juror exited the courtroom, and the  
19 following proceedings were had herein:)

20 (Brief pause).

21 (Prospective juror entered the courtroom, and  
22 the following proceedings were had herein:)

23 THE COURT: Hello.

24 PROSPECTIVE JUROR: Hi.

25 THE COURT: Today you're number 147. That's

1 your name for the day.

2 PROSPECTIVE JUROR: Okay.

3 THE COURT: I'm not going to ask you about  
4 all these questions, you filled out the  
5 questionnaire, I'm just going to ask you about some  
6 of them.

7 You currently are a dental assistant, is that  
8 correct?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And what you want to be is a  
11 nurse?

12 PROSPECTIVE JUROR: Correct.

13 THE COURT: Okay. What do you do at the  
14 dentist office?

15 PROSPECTIVE JUROR: I assist the doctor in  
16 surgeries.

17 THE COURT: Do you like that work?

18 PROSPECTIVE JUROR: Yes; I love it.

19 THE COURT: You recently married?

20 PROSPECTIVE JUROR: Uh-huh.

21 THE COURT: You bought a house?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Owe money in the house?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And you are concerned about your

1 ability the keep paying those bills if you are on  
2 this jury?

3 PROSPECTIVE JUROR: Correct.

4 THE COURT: And what does your spouse do?

5 PROSPECTIVE JUROR: He's a chef.

6 THE COURT: Is that what he's done all along?

7 PROSPECTIVE JUROR: He went to college for  
8 business and communications. He's working in a  
9 community center right now as a chef and he's  
10 planning on opening his own restaurant.

11 THE COURT: Does he do cooking at home?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Do you not do cooking at home?

14 PROSPECTIVE JUROR: I do, but he likes to do  
15 more.

16 THE COURT: Is he faster than you are when he  
17 cooks?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: Do you belong to anything, do you  
20 work with any organization, do you contribute money  
21 to anything?

22 PROSPECTIVE JUROR: Once in a while I work  
23 with what's called Johnny and Friends, it's an  
24 organization that does a retreat for disabled  
25 children and their families. I don't give to it

1 yearly, but when you go, you have to pay to be a  
2 volunteer.

3 THE COURT: Okay. You refer to these as  
4 missions?

5 PROSPECTIVE JUROR: I also do mission trips  
6 with my church. We go to Mexico.

7 THE COURT: And what does that organization  
8 do, JAF?

9 PROSPECTIVE JUROR: It gives the families  
10 kind of a weekend or a week to not have to do their  
11 daily studies every day with their children. We  
12 kind of take their kids. If you're a volunteer, you  
13 get the child for the day, you play them all day and  
14 take them to activities so the parents get a break.

15 THE COURT: You also have a cousin who you  
16 say is very into politics.

17 PROSPECTIVE JUROR: Correct.

18 THE COURT: And in school for such. So you  
19 think you work for someone running for office? Do  
20 you know that or --

21 PROSPECTIVE JUROR: He worked -- he  
22 volunteered to help Bill Brady.

23 THE COURT: Okay. Do you see him often?

24 PROSPECTIVE JUROR: Uh-huh.

25 THE COURT: Does he ask you to contribute?

1 PROSPECTIVE JUROR: No.

2 THE COURT: You like old movies?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: You like old novels, too?

5 PROSPECTIVE JUROR: Correct; novels.

6 THE COURT: And you did say -- do you listen  
7 to radio much?

8 PROSPECTIVE JUROR: Uh-huh.

9 THE COURT: And what do you listen to?

10 PROSPECTIVE JUROR: It's either Klove or  
11 99.7, Christian music.

12 THE COURT: Okay. You said earlier on in  
13 this questionnaire, you said:

14 "As far as this trial, I believe I've already  
15 made a decision about Blagojevich."

16 PROSPECTIVE JUROR: Correct.

17 THE COURT: I want to ask you some questions  
18 about that.

19 There are probably a lot of people around  
20 here and maybe in the country who have made at least  
21 a preliminary decision, one way or the other. The  
22 jury's job is a little different, because in a case  
23 like this, probably the majority of the jurors when  
24 they first sit down, started out with some kind of  
25 opinion and what the law asks them to do is to put

1 that opinion aside.

2           You're not going to forget it, but you just  
3 put it to one side and you try to decide this case  
4 on the basis of the evidence you hear, people who  
5 testify, you'll see documents. So the only thing  
6 that you're allowed to consider is what you hear in  
7 the courtroom, and you've heard none of that yet.

8           PROSPECTIVE JUROR: Uh-huh.

9           THE COURT: So my question to you is, do you  
10 think you could set aside whatever opinion you have,  
11 based probably on news reports, and just do it on  
12 the basis of what you hear in court? Do you think  
13 you could do that?

14           PROSPECTIVE JUROR: Yes.

15           THE COURT: And when the case was going on,  
16 you didn't follow it religiously in any way, is that  
17 correct?

18           PROSPECTIVE JUROR: Correct.

19           THE COURT: Thank you.

20           (Prospective juror exited the courtroom, and the  
21 following proceedings were had herein:)

22           (Brief pause).

23           (Prospective juror entered the courtroom, and  
24 the following proceedings were had herein:)

25



1 THE COURT: Hello. For today, at least,  
2 you're number 148.

3 PROSPECTIVE JUROR: Yes, sir.

4 THE COURT: You have a college degree. Do  
5 you have a degree -- yes, you do.

6 PROSPECTIVE JUROR: I'm technically  
7 graduating this semester.

8 (Brief pause): what?

9 PROSPECTIVE JUROR: I'm graduating this  
10 semester

11 THE COURT: You're graduating this semester,  
12 close enough.

13 But so you're currently a student, and then  
14 it says "unemployed or laid off." Is the laid off  
15 part apply to home computer technician?

16 PROSPECTIVE JUROR: No, I'm not laid off, I'm  
17 just unemployed because I just finished school.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR: I'm not currently in  
20 class, but graduate this semester.

21 THE COURT: But the work you do now is  
22 dealing with individuals' computers?

23 PROSPECTIVE JUROR: I haven't done that for a  
24 few years.

25 THE COURT: Okay. It's what you used to do?

1 PROSPECTIVE JUROR: Uh-huh.

2 THE COURT: Okay. You had a friend who was  
3 robbed and assaulted?

4 PROSPECTIVE JUROR: Yeah; a few years back.

5 THE COURT: Is this a close friend?

6 PROSPECTIVE JUROR: Ah, grown apart slightly  
7 over the years, but yes, he was was.

8 THE COURT: Was anybody caught for that?

9 PROSPECTIVE JUROR: I don't believe so, no.

10 THE COURT: Do you know zero attorneys?

11 PROSPECTIVE JUROR: I was going to ask about  
12 that, actually. I know four people who are  
13 attorneys, but I've also grown apart from them and I  
14 sort of was close to them before they became  
15 attorneys, before started law school.

16 THE COURT: Well, then, correct answer to  
17 that one is zero.

18 I'm going to ask you about two sentences you  
19 made in answer to the questionnaires we had, talking  
20 about what public officials consider and don't  
21 consider. And the first one you said:

22 "Public interest must be the priority if the  
23 personal interests are impossible for anyone to  
24 ignore."

25 And the second thing you said is:

1 "This is a weakness of a system relying on  
2 raising so much money for campaign."

3 Those are your views now?

4 PROSPECTIVE JUROR: I'd say so, yes.

5 THE COURT: Yeah. I'm going to ask you is  
6 this question, but it has a little preface to it.  
7 No one is going to ask you to make a judgment of  
8 whether the current system works or doesn't work or  
9 is wise or unwise. There are certain legal rules  
10 that people have to follow that tell you what you  
11 can do and what you can't do. And sometimes there's  
12 a little difference between what you can and can't  
13 do, you just have to be careful to be one side of  
14 the line rather than on the other. But we're not  
15 going to deal with any of that philosophy at all.  
16 What we're going to ask a juror to do is to decide  
17 whether or not the government has proven the  
18 defendant in this case crossed the line and that he  
19 did so beyond a reasonable doubt, and that line is a  
20 line drawn by the law, not by public opinion but by  
21 the law.

22 Now, do you think you will be able to  
23 consider this case as an individual case and  
24 consider whether this case has been proven against a  
25 particular defendant? would you be able to do that?

1 PROSPECTIVE JUROR: Yes, I would.

2 THE COURT: Hobbies?

3 PROSPECTIVE JUROR: Computer games and music,  
4 socializing with friends.

:54PM

5 THE COURT: What computer games?

6 PROSPECTIVE JUROR: Ah --

7 THE COURT: A lot of them or just a few?

8 PROSPECTIVE JUROR: Less these days, but a  
9 lot of them over time, sure.

:54PM

10 THE COURT: What is slashdot.org.

11 PROSPECTIVE JUROR: It's sort of a technical  
12 news aggregation site. They just pull stories from  
13 various other sources and put together all computer  
14 type stuff.

:54PM

15 THE COURT: All computer type stuff?

16 PROSPECTIVE JUROR: Yes; sometimes it's more  
17 loosely related than other times, but yeah.

18 THE COURT: Is that one of those websites  
19 where people are sharing solutions to obscure  
20 problems about computers?

:55PM

21 PROSPECTIVE JUROR: Uhmmm .... I guess some  
22 stories would be about that, sure.

23 THE COURT: And according to what I read  
24 here, you know that there's a case pending against  
25 the former governor, but you don't know much about

:55PM

1 it at all.

2 PROSPECTIVE JUROR: Ah, at the time that I  
3 filled that out I actually didn't realize it was  
4 tied or that it had already happened.

5 THE COURT: But is it fair to say that what  
6 you read in the papers or heard on TV or radio, is  
7 it fair to say that you would be able to ignore all  
8 of that when you deliberate in a jury?

9 PROSPECTIVE JUROR: Yes; even that when I  
10 heard it, it was very little.

11 THE COURT: With respect to one question, the  
12 question was:

13 "This case involves cooperating individuals  
14 utilized by federal agents. Do you have any  
15 view about the use of cooperating individuals  
16 that would make it difficult for you to be fair  
17 to other side in this case."

18 what cooperating individuals are fall into  
19 two basic categories. One category is is somebody  
20 who participates in activity that he knows is wrong,  
21 his conscious catches up with him and he decides to  
22 cooperate with the prosecutors. This is, by far,  
23 the smallest part of that category of cooperating  
24 individuals. Most cooperating individuals fall into  
25 the class of people who deem themselves liable or at

1 least possibly to be found to have committed an  
2 offense under the federal laws or other laws. And  
3 the government makes a promise to them which could  
4 range from everything to not charging them at all,  
5 all the way to an agreement that they'll plead  
6 guilty and get a particular sentence.

7 when that happens, the defense says these  
8 people are lying because they have a motive to lie,  
9 they get a benefit from it. The prosecutor will  
10 say, yes, they have a motive but they tell the  
11 truth. And then there will be argument as to  
12 whether there are things other than what they say  
13 that support the version of the witness.

14 So you have to make a judgment as to whether  
15 the cooperating individual is telling the truth or  
16 not telling the truth, that's what that question  
17 means. And this is why they say, do you have any  
18 view about the use of cooperating individuals that  
19 would make it difficult for you to be fair to either  
20 side of this case. Do you?

21 PROSPECTIVE JUROR: I guess if the Court  
22 decides I'm capable of doing that, I'm sure I'll be  
23 able to, yes.

24 THE COURT: Okay. The other thing you  
25 express is a concern about following the Court's

1 law. You said probably you could but you don't know  
2 much about the law or how the court will give it.  
3 Actually, what we do is, we give it to you in  
4 writing. It's a serious of instructions. And not  
5 only do we give it to you in writing, I read it.  
6 This does not necessarily mean that the instructions  
7 are simple or easy, it means that in the vast  
8 majority of cases, if you study them, you'll figure  
9 out what the answer is. But you are given written  
10 documents as to what the law means, and you're given  
11 copies of those so you can have them with you. In  
12 some cases, you can ask the Court to clarify and in  
13 some cases the Court will, that's what that means.

14 Thank you.

15 (Prospective juror exited the courtroom, and the  
16 following proceedings were had herein:)

17 (Brief pause).

18 (Prospective juror entered the courtroom, and  
19 the following proceedings were had herein:)

20 THE COURT: You are juror 149?

21 PROSPECTIVE JUROR: Yes, that's correct.

22 THE COURT: What do you do for a living?

23 PROSPECTIVE JUROR: I'm currently unemployed.

24 THE COURT: What did you do for a living?

25 PROSPECTIVE JUROR: Director of sales and

1 operations for a manufacturing company.

2 THE COURT: How long did you work for them?

3 PROSPECTIVE JUROR: I worked for them for  
4 1 year.

5 THE COURT: Are they still in business with a  
6 lot of layoffs or are they just gone?

7 PROSPECTIVE JUROR: Correct, a lot of  
8 layoffs.

9 THE COURT: And did you work for anybody  
10 before that?

11 PROSPECTIVE JUROR: Yes, I did. Another  
12 manufacturing company called Houston Harvest for  
13 4 years.

14 THE COURT: Same kind of work?

15 PROSPECTIVE JUROR: Same kind of work.

16 THE COURT: This is all clothing work?

17 PROSPECTIVE JUROR: It's gift products,  
18 clothing, aluminum pans.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR: And they were bought up  
21 by another company, so, again, they got dissolved.

22 THE COURT: You have three children, the  
23 oldest is 14 and the youngest is 4?

24 PROSPECTIVE JUROR: Correct.

25 THE COURT: And what does your husband do for



1 a living?

2 PROSPECTIVE JUROR: He's a truck driver.

3 THE COURT: Over-the-road trucking?

4 PROSPECTIVE JUROR: No, for Fed Ex.

:01PM

5 THE COURT: Okay. The only reason you have  
6 listed here for ever consulting a lawyer was to file  
7 for divorce from your first husband about 10 years  
8 ago, is that right?

9 PROSPECTIVE JUROR: That's correct.

:02PM

10 THE COURT: Was that actually contested or  
11 was it agreed to?

12 PROSPECTIVE JUROR: It was agreed to.

13 THE COURT: Other than that, you don't hire  
14 lawyers at all?

:02PM

15 PROSPECTIVE JUROR: Not really, no.

16 THE COURT: You put a zero there.

17 PROSPECTIVE JUROR: Yeah. No, I don't.

18 THE COURT: You belong to a church?

19 PROSPECTIVE JUROR: Yes.

:02PM

20 THE COURT: You donate to a church?

21 PROSPECTIVE JUROR: Yes, we go to church,  
22 when we attend.

23 THE COURT: Do you belong to anything else?

24 PROSPECTIVE JUROR: No.

:02PM

25 THE COURT: You or anybody you know or

1 anybody you're close to has never done political  
2 work? They haven't volunteered, they haven't  
3 contributed money?

4 PROSPECTIVE JUROR: No.

5 THE COURT: Arts and crafts and dancing?

6 PROSPECTIVE JUROR: Correct.

7 THE COURT: Which comes first?

8 PROSPECTIVE JUROR: Arts and crafts. I like  
9 to design, create things.

10 THE COURT: Which arts?

11 PROSPECTIVE JUROR: Painting, ceramics,  
12 jewelry.

13 THE COURT: Do you have a lot of it?

14 PROSPECTIVE JUROR: Home, mostly, just around  
15 my house.

16 THE COURT: And the dancing part?

17 PROSPECTIVE JUROR: My sister-in-law owns a  
18 dance studio, so I would try to do dancing, you  
19 know, dancing classes.

20 THE COURT: If I read this correctly, you  
21 didn't pay a lot of attention to the trial that was  
22 going on with these charges?

23 PROSPECTIVE JUROR: That is correct.

24 THE COURT: Okay. But you do remember that  
25 the defendant in this case may have served as a

1 lawyer to a cousin of yours?

2 PROSPECTIVE JUROR: That is correct.

3 THE COURT: And you conclude by that:

4 "It was a story told to me by my brother, I'm  
5 not sure if it was real."

6 PROSPECTIVE JUROR: Yeah, it was -- he had  
7 said my cousin that, you know, he was a lawyer, and  
8 I said I never really spoke to my cousin about it so  
9 I didn't know if it was true or not.

10 THE COURT: Can I infer from that that you  
11 didn't care much in any way that you didn't want to  
12 check it out?

13 PROSPECTIVE JUROR: No, I didn't care.

14 THE COURT: You didn't care.

15 PROSPECTIVE JUROR: No.

16 THE COURT: I take it you have no current  
17 opinion on how this case out to come out?

18 PROSPECTIVE JUROR: No; I'm not really much  
19 into politics.

20 THE COURT: Will you decide this case on the  
21 basis of the evidence you hear and nothing else but  
22 that evidence you hear in court?

23 PROSPECTIVE JUROR: That is correct.

24 THE COURT: The reason I ask that question  
25 is, sometimes if you have seen some news, heard a

1 little something here and there, and you are sitting  
2 in a jury, some piece of evidence will come up and  
3 you say, oh, I remember that happening, and what you  
4 are remembering is a news report. What you have to  
5 do is ignore the fact that there was a news report  
6 and pay attention only to what the witness said, can  
7 you do that?

8 PROSPECTIVE JUROR: Correct.

9 THE COURT: Thank you.

10 (Prospective juror exited the courtroom, and the  
11 following proceedings were had herein:)

12 (Brief pause).

13 (Prospective juror entered the courtroom, and  
14 the following proceedings were had herein:)

15 THE COURT: You are 150 for today, that's  
16 your number.

17 PROSPECTIVE JUROR: Correct.

18 THE COURT: How long have you been doing  
19 upholstery?

20 PROSPECTIVE JUROR: Since I was, let's see,  
21 23.

22 THE COURT: Did you start out by working for  
23 somebody who was in that business?

24 PROSPECTIVE JUROR: I worked for my dad.

25 THE COURT: He was in the same business?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Did you ever work for a company?  
3 Have you always work by yourself?

4 PROSPECTIVE JUROR: Always worked by myself.

:08PM

5 THE COURT: Is that what your dad did, too?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: How do you get business?

8 PROSPECTIVE JUROR: Doing it a long time.

9 People come back, their kids come back.

:09PM

10 THE COURT: Do you have any particular  
11 specialty that you do?

12 PROSPECTIVE JUROR: Custom upholstery.

13 THE COURT: Okay. Do you have people who  
14 work for you?

:09PM

15 PROSPECTIVE JUROR: No.

16 THE COURT: Do you sometimes need help to do  
17 the job?

18 PROSPECTIVE JUROR: I have my brother that  
19 helps me once in a while.

:10PM

20 THE COURT: Okay. You've been sued only  
21 once?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And that was a slip cover shrank.

24 PROSPECTIVE JUROR: Yes.

:10PM

25 THE COURT: And did you hire a lawyer or did

1 you just pay him?

2 PROSPECTIVE JUROR: No, actually, the fabric  
3 company said they would pay if I got sued. It was  
4 their fault.

:10PM 5 THE COURT: And the only reason you ever  
6 consulted a lawyer was for a will?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: It says here you know lots of  
9 attorneys.

:10PM 10 PROSPECTIVE JUROR: My wife worked as a  
11 paralegal for years.

12 THE COURT: Very large firm or a small firm?

13 PROSPECTIVE JUROR: A couple of small firms,  
14 a couple of large firms.

:10PM 15 THE COURT: And so you met those lawyers?

16 PROSPECTIVE JUROR: Yeah, all the time.

17 THE COURT: Did they ever discuss their work  
18 with you?

19 PROSPECTIVE JUROR: No.

:10PM 20 THE COURT: Did you ever discuss your work  
21 with them?

22 PROSPECTIVE JUROR: Only their wives.

:11PM 23 THE COURT: I'm going to go over some  
24 questions that I think you overlooked. They're not  
25 particularly important questions, but I'll read them

1 to you:

2 "Have you or anyone close to you ever worked in  
3 an effort to change a law?"

4 PROSPECTIVE JUROR: What do you mean by  
5 worked to change the law?

6 THE COURT: Write a letter to a legislature?

7 PROSPECTIVE JUROR: Not that I know of.

8 THE COURT: Okay. Ever had any particular  
9 concerns with a particular law yourself? Did you  
10 ever have such a concern?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Okay.

13 "Have you ever participated in any group  
14 concerned with crime prevention or crime  
15 victim's rights?"

16 PROSPECTIVE JUROR: No.

17 THE COURT: (Reading:)

18 "Have you or anybody close to you ever been  
19 affiliated with the Better Government  
20 Association?"

21 PROSPECTIVE JUROR: My wife could've been  
22 when she was paralegal.

23 THE COURT: But nothing known to you?

24 PROSPECTIVE JUROR: Not to me, no.

25 THE COURT: Have you ever written to an

1 elected or appointed government official?

2 PROSPECTIVE JUROR: No.

3 THE COURT: Do you belong to anything? Do  
4 you contribute to anybody?

5 PROSPECTIVE JUROR: No.

6 THE COURT: A church, a union, anything like  
7 that?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Have you or your spouse ever  
10 volunteered to help some of these campaign for  
11 political office?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Do you have any opinion about  
14 political fundraising?

15 PROSPECTIVE JUROR: No.

16 THE COURT: You use a computer at all?

17 PROSPECTIVE JUROR: Very little.

18 THE COURT: Do you go and hunt down the news,  
19 newspapers, television broadcasts, the Internet, do  
20 you do any of that?

21 PROSPECTIVE JUROR: No.

22 THE COURT: And the only time you recall  
23 seeing the defendant in this case is that you saw  
24 him on some game shows, that's all you remember?

25 PROSPECTIVE JUROR: Well, as he was



1 struggling for a while, stuff like that.

2 THE COURT: And you think except for some  
3 personal considerations, you could be a fair and  
4 impartial juror in this case?

5 PROSPECTIVE JUROR: I could be fair, yeah.

6 THE COURT: Now, you have given me one major  
7 reason why you ought to be deferred from jury  
8 service and that is it kills your income, is that  
9 correct?

10 PROSPECTIVE JUROR: well, there's two other  
11 ones that came up that I didn't know about. My  
12 mother-in-law passed away last Friday, so we have to  
13 go down on the 8th to her funeral down in Arkansas,  
14 and then we have to sell a house on Tuesday and  
15 wednesday, which would be the 13th and 14th, and my  
16 wife is out on medical leave because her knees had  
17 to be replaced.

18 THE COURT: okay. Could you hear me today  
19 when I spoke to you?

20 PROSPECTIVE JUROR: Right now, yes.

21 THE COURT: But you do sometimes have some  
22 trouble with your hearing, is that correct?

23 PROSPECTIVE JUROR: Certain voices I can't  
24 hear.

25 THE COURT: okay. Thank you.

1 (Prospective juror exited the courtroom, and the  
2 following proceedings were had herein:)

3 (Brief pause)

4 THE COURT: We're going to take a break now.  
5 I don't know if we'll finish all the jurors who are  
6 still in that room, but we're going to take at least  
7 a few more, and then we'll deal with some challenges  
8 for cause.

9 THE MARSHAL: All rise.

10 (Recess.)

11 (The following proceedings were had out of the  
12 presence of the prospective jurors in open  
13 court:)

14 THE COURT: Okay, counsel, come up to the  
15 lectern.

16 We will start in numerical order, which means  
17 the first person that has to be addressed is 111.

18 MR. SCHAR: Judge --

19 THE COURT: Feel free at any time.

20 MR. SCHAR: Judge, I noticed that there  
21 weren't certain questions asked about some issues at  
22 the back end of the questionnaire, and I took from  
23 that the likelihood he was going on cause as a  
24 hardship.

25 THE COURT: You're moving for cause?

1 MR. SCHAR: Yes, Judge.

2 THE COURT: You want to keep him?

3 MR. GOLDSTEIN: We are in agreement.

4 THE COURT: And so am I. In fact, it was an  
5 agreement from, like, the fourth question.

6 Okay. The next one I have is 123. This is  
7 the one who asked for an excuse, which I believe is  
8 true.

9 MR. SCHAR: We'll --

10 THE COURT: My understanding of what's  
11 happened at the hospital --

12 MR. SCHAR: We'll move for cause, Judge.

13 THE COURT: Right.

14 You're view, counsel?

15 MR. GOLDSTEIN: Your Honor, I don't believe  
16 there was enough for cause for her, Your Honor. So  
17 we object.

18 THE COURT: I don't know about the cause, but  
19 the combination of the cause and what would be her  
20 obvious discontent serving as a juror.

21 This is somebody -- well, actually, it's one  
22 of two things, either she's telling me this story  
23 about what happens when she gets transferred from  
24 one hospital. Although, late news has indicated  
25 that maybe they might save the hospital. From my

1 point of view, if it's a kind of the best thing I  
2 could possibly say because I don't want to serve on  
3 a jury, that says something about her. And the  
4 funny thing is is if it's perfectly sincere, it says  
5 something also about her that pretty much leads me  
6 to an equal conclusion that she is not the kind of  
7 person I would want to have on this jury; in fact,  
8 probably a no jury, although, possibly if it's a  
9 week, she'd be fine. So she's out.

10 Okay, now we've gone through a fair number of  
11 them, but I think we start again at 128, that's  
12 where we left off. It's the painter. Anybody have  
13 anything to say about the painter?

14 MR. GOLDSTEIN: Yes, Your Honor, we ask for  
15 cause on 128. It's an individual that has a  
16 financial hardship, business owner, said he doesn't  
17 get paid, if on the jury, can't pay the bills. Not  
18 to mention question number 53, as well as 55 and 56.  
19 This individual found fundraising shady. This is a  
20 one-word answer, as well as his answers to 55 and 56  
21 indicated that these practices are "shameful," that  
22 was the only answer he gave. But the financial  
23 hardship is pretty clear.

24 MR. SCHAR: Judge, we'll object. Let me just  
25 be brief. I think his answers were luminous of his

1 views, and, frankly, some of those questions do  
2 elicit such a response.

3 In terms of his financial hardship, I think  
4 you were the one Your Honor asked whether he could  
5 oversee the jobs. He said he does, which would be  
6 an individual who can deal with the work without him  
7 having to necessarily be there. So for those  
8 reasons, we would object to the cause challenge as a  
9 hardship.

10 MR. GOLDSTEIN: Your Honor, he is the  
11 supervisor of these individuals, he is the one  
12 that's hired, he is the one that is in charge of  
13 everything. So he's certainly the one that has to  
14 answer to any questions or issues that are coming  
15 up. The type of business he has is basically an  
16 on-site type of business. It's not like you just  
17 send the people there and move on.

18 As to question 55 and 56, if those questions  
19 generally elicit an improper response or an anti  
20 sentiment towards those questions, then I'm not  
21 exactly sure why we have those questions if it's  
22 just to elicit those response. So the fact that he  
23 gave those answers clearly indicates an individual  
24 who is biased.

25 MR. SOROSKY: Your Honor, in plain street

1 talk, I mean, this man has a seasonal occupation,  
2 and warm weather is his busy season, and he says, I  
3 think his exact words were, he either said this in  
4 court or wrote this down, if I don't work, I don't  
5 pay my bills, summer is my busy busy season.

6 I think this would put a peculiarly harsh  
7 financial burden upon him, and as my colleague,  
8 Goldstein, said, his answers were extremely  
9 prejudicial toward the defendant. He said, and I'm  
10 just quoting, most politicians and the use of the  
11 quote "are full of it." I mean, it would be very,  
12 very difficult for him to participate as a fair  
13 juror considering the financial hardship he would  
14 sustain, coupled with his attitude toward public  
15 officeholders.

16 THE COURT: Personally, I think you're off  
17 base on this guy, both of you. I don't believe for  
18 a second his statements about his undying commitment  
19 to the conviction of the defendant. My problem is  
20 is I think the reason he's saying it is because he  
21 wants to get out of jury service for economic  
22 reasons. And I have a long history of not trusting  
23 such jurors, particularly -- I mean, there's  
24 sometimes what you got is just an immediate reaction  
25 of the juror who says "I can't possibly be fair from

1 all I read about it," and then you ask questions,  
2 "well, could you disregard all you read" and  
3 eventually they come around because they don't  
4 understand the question in the first place. An  
5 astonishingly large number of people think that if  
6 you heard about a case you can't sit on the jury,  
7 which has never been the law in the United States.  
8 The standard is, can you put aside whatever opinions  
9 you got, even if they're very clear opinions, can  
10 you put them aside.

11 I don't think the problem is the opinions. I  
12 think this is an individual whole will not, for  
13 economic reasons, be a juror open to reasoned  
14 argument. He just wants to get out of that room.  
15 And what happens when he just wants to get out of  
16 that room is, he tends to see which way the wind is  
17 blowing, he doesn't care what the result is, and  
18 whatever vote will get him out quicker, that's the  
19 vote he will take. So I'm sustaining the challenge  
20 for cause.

21 MR. SOROSKY: Thank you.

22 THE COURT: He is 128.

23 what's next?

24 MR. SCHAR: Judge, we don't have anything  
25 until 134.

1 THE COURT: You got anything before 134?

2 MR. GOLDSTEIN: 130, Your Honor.

3 THE COURT: 130. And your grounds?

4 MR. GOLDSTEIN: Your Honor, I have a couple  
5 of grounds that I could tell Your Honor right now,  
6 there is one issue I would like to address in a  
7 sidebar, if that is possible, Your Honor.

8 MR. SOROSKY: So if we could pass her,  
9 perhaps --

10 THE COURT: Yeah, we can pass her.

11 MR. SOROSKY: Thank you.

12 THE COURT: Okay. You got anything until 134  
13 after that?

14 MR. SOROSKY: We do not, Your Honor.

15 THE COURT: Okay. Swell.

16 MR. SCHAR: Judge --

17 THE COURT: 134.

18 MR. SCHAR: Yes. Obviously, there's a  
19 substantive issue within the questionnaire related  
20 to a personal situation. I don't know if there's an  
21 objection to this or not.

22 THE COURT: Are you going to object to this  
23 one?

24 MR. GOLDSTEIN: Yes, Your Honor.

25 MR. SCHAR: So let me finish.



1 MR. GOLDSTEIN: Go ahead.

2 MR. SCHAR: Judge, obviously in the  
3 questionnaire she indicated, if she was going to  
4 follow through what she said she was going to do,  
5 she even wouldn't be here today.

6 THE COURT: Right.

7 MR. SCHAR: So I don't know if she meant  
8 that, or she was trying to get off jury duty, or  
9 she's in a type of situation where there's a kind of  
10 combustibility to what's occurring in such that at  
11 the time she thought it, now she's got a different  
12 plan, but I don't think that's the type of person,  
13 given the personal circumstances, and given that she  
14 either believed it when she said it but now suddenly  
15 has changed in timing or didn't believe it when she  
16 said it, I fear that should she be on the jury and  
17 things go in a different direction for her  
18 personally, this could be a significant problem.

19 Putting aside, obviously given the personal  
20 situation, calls into question her ability to be a  
21 juror who's going to pay attention and be focused on  
22 the issues. So for those reasons, I don't think she  
23 would make a good juror, Judge.

24 MR. GOLDSTEIN: Your Honor, the only reason I  
25 object is, in the questionnaire she did indicate

1 that there was an immediacy to it. When Your Honor  
2 questioned her, she told you that she will be moving  
3 in 3 months, which puts us out of the range of the  
4 trial. So it appears, and we don't know the reason,  
5 it doesn't quite, frankly, matter, that whatever the  
6 issue is, it's been resolved enough so that she can  
7 sit on the jury.

8 THE COURT: Were I to infer anything from the  
9 change of timing, I would infer end of school year.  
10 This is somebody who has an unfortunate -- may not  
11 be tragic, may not be particularly bad, but an  
12 untenable relationship, and she's going to take a  
13 child and go to another state. And I don't get any  
14 sense in this that this is going to come as anything  
15 but a surprise to her partner. I am just afraid  
16 that the family stress that's implicit in what she  
17 said, or in the absence of family stress the  
18 mercurial nature of her plans for the future, make  
19 her an unsuitable juror. Challenge for cause is  
20 granted.

21 Anybody anything after 134?

22 MR. SCHAR: The next the government has is  
23 138.

24 THE COURT: Anything before that?

25 MR. GOLDSTEIN: Nothing before 138, Your

1 Honor.

2 We have no objection to 138.

3 THE COURT: Okay. Hang on.

4 (Brief pause.)

5 THE COURT: 138, stricken for cause. A wise  
6 decision on the part of both sides. It would've  
7 been the Court's challenge if no one had challenged  
8 this. In fact, it would have been his own-self  
9 challenge.

10 Okay, whose got something 8next?

11 MR. GOLDSTEIN: The next one, Your Honor, we  
12 have is 143.

13 MR. SCHAR: We have 139, Judge. It's about  
14 two issues on 139.

15 THE COURT: Which is the Oprah one?

16 MR. SCHAR: It was not this one.

17 THE COURT: Okay.

18 MR. SCHAR: I think we're coming up on that.

19 THE COURT: Okay, go ahead.

20 MR. SCHAR: 139 is two, Judge. One is the  
21 financial hardship, which she lays out, in terms of  
22 having the mortgage payments and only one salary  
23 coming in, she obviously owes money as it is. And  
24 that is combined with the potential problem in terms  
25 of the answers related to the individual that was

1 her aunt's husband who went to jail. That  
2 individual is also actually implicated by one of the  
3 potential witnesses in this case. I don't want to  
4 say that individual would necessarily testify, but  
5 the individual does testify, there's actually  
6 information that that individual is discussed about  
7 the particular individual that's at issue in her  
8 questionnaire.

9 MR. SOROSKY: Could we pass this one and  
10 maybe in our sidebar the government could be a  
11 little more informative?

12 THE COURT: Sure.

13 The next one?

14 MR. GOLDSTEIN: We have 143, Your Honor, if  
15 no one has anyone before that.

16 THE COURT: Do you have anything before 143?

17 MR. SCHAR: No, we do not. And we do not  
18 object to 143.

19 THE COURT: Okay. What's next?

20 MR. GOLDSTEIN: The next one we have, Your  
21 Honor, is 145.

22 MR. SCHAR: No objection, Judge.

23 THE COURT: One second to catch up with some  
24 notes.

25 (Brief pause).

1 THE COURT: Okay, what are we looking at,  
2 145, no objection?

3 MR. GOLDSTEIN: Correct, Your Honor, that's  
4 an agreed one.

:07PM 5 The next one we have is 147.

6 THE COURT: Do you have anything before that?

7 MR. SCHAR: No.

8 THE COURT: 147. Okay.

:07PM 9 MR. GOLDSTEIN: Your Honor, first of all, as  
10 to 147, this individual has a significant financial  
11 hardship. She indicated that her and her husband  
12 just got married, they bought a house, they live  
13 check to check.

14 THE COURT: Yeah, I read that.

:07PM 15 MR. GOLDSTEIN: As well, in addition to the  
16 financial hardship, she indicated in her questions  
17 that she's already formed opinions. She didn't  
18 indicate what her opinions were, but she indicated  
19 that she already did form an opinion. She wasn't  
20 exactly being completely upfront as exactly what her  
21 opinions were, but nonetheless, she said that she  
22 had formed an opinion coming into this case.

:08PM 23 And I think that's enough for cause, not to  
24 mention the financial hardship that that is  
25 something that will be on her mind throughout this

1 trial, basically divert her attention while she has  
2 these significant issues going on, her mortgage, her  
3 recent marriage, as well as living paycheck to  
4 paycheck, Your Honor.

:08PM

5 MR. SCHAR: Judge --

6 MR. SOROSKY: If I could just add, I believe  
7 her exact wording was "I already made a decision  
8 about the defendant."

:08PM

9 THE COURT: Yeah, but she passed Irvin versus  
10 Dowd, the test which I'm obliged to apply, but it's  
11 a complicated case for other reasons.

12 You can speak.

:09PM

13 MR. SCHAR: Judge, obviously, she indicated  
14 that she could put her opinion aside and make a fair  
15 decision. And I didn't think her financial  
16 hardship, or at least the way she described it, was  
17 as severe as several of the others. Her concern was  
18 that they might get behind, not that, as we've heard  
19 from some others, that they were going to lose the  
20 house or something like this, so we object.

:09PM

21 MR. GOLDSTEIN: Your Honor, if I may just  
22 briefly respond.

23 THE COURT: No. I'm sustaining the challenge  
24 for cause.

:09PM

25 whose got another one?

1 MR. GOLDSTEIN: The next number we have is  
2 number 150, that's the last one.

3 MR. SCHAR: Judge, we have no objection to  
4 that.

5 THE COURT: You what?

6 MR. SCHAR: No objection.

7 THE COURT: What a surprise.

8 MR. SCHAR: And then that brings us,  
9 actually, to 188 that we skipped over.

10 THE COURT: Yeah, we did skip that one.

11 MR. SCHAR: And I think that's a cause  
12 challenge as well.

13 THE COURT: Do you have any problem with 188?

14 MR. GOLDSTEIN: We object to cause on 188,  
15 Your Honor.

16 THE COURT: Incidentally, there's a juror  
17 who's coming up tomorrow, I've ordered him to fill  
18 out the form again because I cannot read his  
19 handwriting.

20 MR. SCHAR: One moment, Judge.

21 (Brief pause):

22 MR. GOLDSTEIN: Your Honor, as to 188, we  
23 agree.

24 THE COURT: Yeah.

25 I have received a bulletin. The bulletin

1 says to me that the Oprah juror is 137. Let us see  
2 if this is correct.

3 (Brief pause)

4 THE COURT: It's Page 22. Anyone want to  
5 speak to this?

6 well, first of all, everybody knows here that  
7 this juror will survive.

8 MR. SCHAR: It's the last year, Judge.

9 MR. GOLDSTEIN: I think the last episode,  
10 too.

11 THE COURT: And the question becomes, because  
12 I can fix this, like, not have trial that day, but  
13 that seems a little over the top.

14 MR. SOROSKY: well, is it possible to work  
15 around that day? I don't know. What time is the  
16 show actually on?

17 THE COURT: I don't know.

18 Does anybody know that.

19 MR. GOLDSTEIN: Not that I know, Your Honor,  
20 but I believe it's the morning.

21 MR. SOROSKY: All these people in the  
22 audience, someone should be able to assist us at  
23 what time.

24 THE COURT: Yeah, but they won't be under  
25 oath and I'll disregard it.



1 MS. KAESEBERG: I think that they are doing  
2 multiple taping throughout day, because there is  
3 usually morning taping and afternoon taping.

4 THE COURT: So maybe we could find out. So  
5 we'll leave this one open.

6 MR. SOROSKY: That's why we have a woman.

7 MS. KAESEBERG: I was just there waiting for  
8 it.

9 THE COURT: Okay. I think that takes care of  
10 that, except for stuff that people want to do at  
11 sidebar.

12 MR. SOROSKY: There were some issues with  
13 Thursdays people that we didn't resolve yet.

14 THE COURT: Which were those?

15 MR. SOROSKY: There was some question about  
16 115.

17 MR. SCHAR: These are the things we discussed  
18 this morning, Judge.

19 THE COURT: Yes, and we're going to call them  
20 in and ask them the question.

21 MR. SCHAR: We could have sidebar when we  
22 come back with --

23 THE COURT: What did you say?

24 MR. SCHAR: After sidebar will we come back  
25 in open court?

1 THE COURT: Yeah. What else did you want to  
2 inquire from the previous day stuff?

3 MR. SOROSKY: Who were some of the other  
4 people?

5 MR. GOLDSTEIN: Just 115.

6 MR. SOROSKY: Just 115 from your perspective.

7 THE COURT: Okay.

8 MR. SOROSKY: And there was some question  
9 about 126, juror 126. There was some financial  
10 hardship there with him also and you said you were  
11 going to get back.

12 THE COURT: Yeah, we left that open.

13 MR. SOROSKY: Right.

14 THE COURT: I don't think I need anymore  
15 information. He told me about everything he could  
16 tell me, the sum and substance of which is, it's a  
17 high performance marketing and branding company,  
18 they got two big clients, and his problem is he's  
19 supposed to be at the client's office or  
20 headquarters, or wherever it is, 3 to 4 days a week.  
21 Based on information I've received on another case  
22 involving what branding and marketing people do, I'm  
23 disinclined to disbelieve that. I don't know,  
24 actually, that it's important for them to be there  
25 for purposes of doing branding and marketing, I

1 think it's important for them to be there so nobody  
2 pries the client out of their grasp, but that's just  
3 a personal opinion, I could be completely wrong. So  
4 I'm thinking about that. He's still on the open  
5 list.

:17PM

6 MR. SOROSKY: There was one question, juror  
7 117, she indicated that she was starting a new job  
8 March 21st and you also left that open also. She  
9 started her new job March 21st.

:18PM

10 THE COURT: Yeah, maybe I did.

11 MR. SOROSKY: And she indicated, I'm sure  
12 everyone has notes as to all of the specifics.

13 THE COURT: Let's go to the side now.

14 (Proceedings heard at sidebar on the record.)

:18PM

15 THE COURT: Okay, 130.

16 MR. GOLDSTEIN: Your Honor, 130, the reason  
17 we brought you over to sidebar, this is the  
18 individual with the beer company that does the  
19 advertising. She has for the last five days been on  
20 Twitter with all her experiences as a juror. She  
21 said she is sitting in the room, she is waiting to  
22 get kicked -- I don't want to exactly quote it, but  
23 she is waiting for cause, that was the exact quote.  
24 Someone who gave an indication that, it seems to me,  
25 was going to get instructions or something.

1 MS. KAESEBERG: That she was unfit to serve.

2 MR. GOLDSTEIN: Unfit to serve. The big  
3 issue is, she's constantly in the media.

4 THE COURT: We're going to bring her back and  
5 ask her. 130, she comes back.

6 okay, 139?

7 MR. SCHAR: Well, Judge, if I may. Assuming  
8 this is a sidebar, her uncle is Tony Rezko,  
9 obviously Tony Rezko was convicted.

10 MS. KAESEBERG: Corruption charge of some  
11 sort.

12 MR. SCHAR: Stuart Levine had provided  
13 information that obviously would be exculpatory to  
14 Stuart Levine and Mr. Rezko relating to a deal that  
15 also includes Vrdolyak in which Mr. Rezko was  
16 steering kickbacks for jobs through Vrdolyak to  
17 Levine when Levine owned a company some years ago.  
18 Obviously, Mr. Levine is going to testify, not on  
19 cross-examination it's possible to confront it  
20 through various things he has done, and there is  
21 just a connection here that causes us a degree of  
22 concern as to not being able to predict what  
23 happens, and obviously she had hardship as well. I  
24 think we're making our way through jurors, this is  
25 not a real well-taken --

1 MR. SOROSKY: Maybe you are going to let us  
2 know if Levine is going to testify.

3 MR. SCHAR: Let's assume yes, then.

4 MR. GOLDSTEIN: I don't know. She indicated  
5 she would be unfair based on the facts of this.

6 THE COURT: I don't think -- she doesn't  
7 know. She doesn't know. This is her Uncle Tony, is  
8 that his name?

9 MR. SCHAR: Uncle Tony, yes.

10 THE COURT: I'm quite sure she is not being  
11 briefed on all the details. So she's out.

12 with respect to 139, the Tweeter --

13 MR. GOLDSTEIN: That was 139, Your Honor.

14 THE COURT: Oh, okay. Because I gave an  
15 instruction in the jury room when you first heard  
16 all this, no more Tweets, no more website. So you  
17 checked the Tweets.

18 MR. GOLDSTEIN: I did.

19 THE COURT: You had a massive enough staff?

20 MR. GOLDSTEIN: It's fairly easy.

21 THE COURT: That you have to check on Tweets?  
22 They didn't check on Tweets?

23 MR. GOLDSTEIN: I have a sneaking suspicion  
24 that there were other types of checks too.

25 MR. SCHAR: Just quickly, because you didn't

1 raise it, I'm assuming there are no criminal history  
2 hits.

3 THE COURT: No, we have not integrated the  
4 group that comes after this. What we got is,  
5 this -- DOB match, SSN does not match.

6 MR. GOLDSTEIN: That is the one you struck,  
7 139.

8 MR. SOROSKY: As long as we're here, I mean,  
9 on the open ones, I mean --

10 THE COURT: No, we will probably have to call  
11 them back and then when we do we'll check our number  
12 against your number.

13 MR. SOROSKY: So it would be 115?

14 THE COURT: Right. Right.

15 MR. SOROSKY: 115 and 126.

16 THE COURT: Right. Probably not tomorrow.

17 MR. SOROSKY: And --

18 THE COURT: What my hope is is we have a jury  
19 by Wednesday, and that we close -- we open.

20 MS. HAMILTON: You hope.

21 THE COURT: We open on Thursday. But we'll  
22 see. Okay.

23 (Proceedings resumed in open court:)

24 THE COURT: Okay, I think where we are now  
25 is, we have a series, not a very long series, maybe

1 5 or 6 venire persons who require further  
2 discussion, and we'll probably try to take care of  
3 that on Wednesday. Tomorrow, we'll go as far as we  
4 can, and then we will assess whether we have enough  
5 to go forward.

:24PM

6 we have, incidentally, the forms for service  
7 on this jury distributed to the regular panels that  
8 come to this building, just in case we're a little  
9 short. And without giving an actual number, which  
10 makes me mild uneasy, but the jury office has  
11 informed me that there was a significant number of  
12 people who did have the ability to serve on a 10 to  
13 12-week trial. So I think we're okay. And I'll see  
14 you tomorrow.

:25PM

15 MR. SCHAR: Judge, very, very briefly. Just  
16 for the open record, it's my understanding that 139  
17 has been struck for cause?

:25PM

18 THE COURT: What did you just say?

19 MR. SCHAR: 139 has been struck?

:25PM

20 THE COURT: Yeah, 139 has been struck.

21 MR. SCHAR: I believe all the motions in  
22 limine are now fully briefed.

23 THE COURT: Yes, I have them.

:25PM

24 MR. SCHAR: I don't expect, obviously, to  
25 deal with them this evening, but however Your Honor

1 ends up ruling, there are several. Obviously, that  
2 would impact, I think, in part, the opening, and  
3 then already, based I think on some preliminary  
4 indications from Your Honor, there are several  
5 things related to the opening and general just  
6 cross-examination --

7 THE COURT: Is this a long lead-up to say  
8 you'd like to know tomorrow?

9 MR. SCHAR: I'd like to have sometime with  
10 Your Honor, because I don't think it's a ten-minute  
11 discussion, prior to opening statement.

12 THE COURT: We're going to do the in limines  
13 tomorrow. We're going to finish them, one way or  
14 the other.

15 MR. SCHAR: Thank you.

16 THE COURT: Okay?

17 MR. SOROSKY: Thank you.

18

19 THE MARSHAL: All rise.

20

21 (Adjournment taken from xx o'clock p.m. to xxx  
22 o'clock a.m. on date, 2009.)

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I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT  
FROM THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED  
MATTER

/s/Blanca I. Lara

date

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Blanca I. Lara

Date